

Mr. FANNIN. The Senator knows that the President has asked for the cooperation of Congress; and all these matters that he is discussing here are to be decided upon by Congress, other than the actions the President has taken.

I am very proud that the President was willing to take action and to get us started. Evidently, it needed a self-starter. We were not doing anything ourselves, so he had to kick us along.

Mr. JACKSON. Congress has acted and has for months sought to work with the administration. We have not been able to get an energy proposal out of him until just now. I wrote to the President in September, suggesting a bipartisan energy program.

I point out to the Senator that here we have a situation in which the President says he wants to cooperate. Well, we are ready to cooperate. We want to act on these matters.

Mr. FANNIN. That is all the President has asked for. He wants to be sure that we do it.

Mr. JACKSON. We are trying to act on the basis of a majority of the U.S. Senate, and what kind of cooperation are we getting?

Mr. FANNIN. He is not going to cooperate in killing everything he is going to do, and certainly I would not advise him to cooperate in trying to kill the very program he wants to have Congress work its will upon.

Mr. JACKSON. Is the Senator aware that about 80 percent of the legislative proposals in one area alone that the President has asked for was vetoed by his predecessor?

Mr. FANNIN. I will say this: The Senator is aware that we have not done anything, and we must have a program.

Mr. JACKSON. What we have done has been vetoed.

Mr. FANNIN. The President vetoed a bill that would be disastrous to the econ-

omy of this Nation. I am proud that he did.

Mr. JACKSON. When is the President going to send up these bills?

Mr. FANNIN. Very shortly. The President is working now to coordinate his efforts with those of the Members of Congress. He is working daily on this matter, as the Senator knows.

Mr. JACKSON. We are being accused here. The Senator is saying that Congress is not acting. Where are the bills?

Mr. FANNIN. In 4 years, we have not acted. What makes the Senator think we are going to act in the next 60 days?

This \$1 goes into effect, but so far as the New England States are concerned, nothing goes into effect. The Senator from Massachusetts was talking about it going into effect.

Mr. JACKSON. The Senator says that we have not acted. In case after case, we asked for the administration's views. Take strategic reserves. The Senator knows that for 2 years we tried to get the position of the administration, and they would not give us a position.

Is the Senator aware—let me finish this, and I will not say any more—that the administration did not even ask for a budget request to develop Elk Hills and Naval Petroleum Reserve No. 4? We twice had to add it onto the budget in Congress.

Mr. FANNIN. The Senator has that understanding. May I ask our distinguished chairman—and certainly he is very well versed in Senate Resolution 45—when are we going to have a recommendation from Senate Resolution 45? When is that going to be done?

Mr. JACKSON. We have acted under Senate Resolution 45. What the Senator is complaining about is that we have not voted to deregulate natural gas.

Mr. FANNIN. We have not had recommendations from Senate Resolution 45. The Senator knows that. I think the Senator will discuss that further.

Mr. President, I yield the floor.

Mr. ROBERT C. BYRD. I thank the Senator. I do not want to shut off anybody.

Mr. President, what is the question before the Senate?

The PRESIDING OFFICER. The motion to proceed to consideration of Senate Joint Resolution 12.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and at 4:08 p.m. the Senate adjourned until tomorrow, Thursday, January 30, 1975, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 1975:

IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Oceanic and Atmospheric Administration nominations beginning K. William Jeffers, to be captain, and ending John R. Fuechsel, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 1975.

IN THE COAST GUARD

Coast Guard nominations beginning Stanley J. Spurgeon, to be lieutenant commander, and ending Franklin H. Doughten, to be lieutenant commander, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 1975.

Coast Guard nominations beginning Bruce W. Keger, to be lieutenant (jg.), and ending Terence M. Bills, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 1975.

EXTENSIONS OF REMARKS

OCEANS IN CRISIS—I

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. COHEN. Mr. Speaker, for thousands of years the people inhabiting this Earth have depended on the oceans for protein. From 1950 to 1970, the amount of fish harvested from our seas increased steadily each year. In an effort to reap the seemingly inexhaustible supply of fish from the oceans, many nations built large fleets of fishing vessels, equipped with the most sophisticated gear that scientists and engineers could develop.

Their efforts were successful in the short term: Huge quantities of fish were caught and people around the globe increased their consumption of this protein-rich commodity. According to Lester R. Brown, a food supply expert, the average level of consumption for fish is now approximately 40 pounds per person annually—well above the world beef output.

Despite our dependence on the oceans however, we continually ignore the fact that we are rapidly destroying them with excessive pollution and over-exploitation.

Thor Heyerdahl, on his voyage on the Ra II, traveled through huge ocean areas containing sludge and garbage—the human and industrial refuse which is a less-heralded product of our modern cultures. (Yves) Jacques Cousteau, the renowned ocean explorer, foreseeing the eventual effects which the polluted sea will have on our planet, is now in the process of organizing a society whose chief purpose will be to draw attention to the seriousness and extent of ocean pollution. Indeed, Mr. Cousteau has pledged “the years remaining him” to the cause of alerting people to the eventual death of our oceans if we do not change our ways.

Mr. Speaker, the oceans are now in crisis. Not only must we take immediate action to stop the sully of our oceans with human and industrial wastes, but we also must make every effort to preserve the fisheries resources which keep our oceans alive, and to protect millions of people from malnutrition and starvation.

Last year, Lester Brown succinctly described the current fisheries situation:

Between 1950 and 1970 the world fish catch increased steadily and reached a new record virtually every year, rising from 21 million tons to 70 million tons. During this period, it increased by the average of nearly five per cent yearly, thus greatly outstripping population growth and greatly boosting per capita supplies of marine protein. In 1970 the trend was abruptly and unexpectedly reversed. Since then it has fallen for three consecutive years, clouding the prospects for continuing expansion of the catch. Many of the marine biologists feel that the global catch of table-grade species may be approaching the maximum sustainable limits.

As members of an elected body anxious to serve the best interests of the people we represent, and cognizant of the protein needs of all the world's peoples, we must be concerned with the decimation of our fisheries resources. At the same time that we seek to accelerate and improve our methods of preventing ocean pollution, it is imperative that we conserve the fish we have left, by bringing the quantity of the total world catch down to the level of self-regeneration.

I have already noted that the global average consumption level of fish is approximately 40 pounds per person per year. My colleagues will, I think, be interested to know that the American average consumption rate is only 13 pounds per year. This rate can be compared to the Soviet Union's per capita rate of 23 pounds and Japan's per capita rate of 71 pounds.

Given these statistics, it should come as no surprise to us that Japan and the Soviet Union are two of the most active major nations engaged in the overharvesting of fish on the Georges Bank, a large portion of which lies within 200 miles of the U.S. shores. Despite international conservation efforts, these nations continue to plunder this area. The results have been staggering: In 1972, the catch of haddock was only one-seventh of what it had been 6 years earlier. The catches of cod and herring have similarly decreased.

Last week, I cosponsored with Congressman Strupps and 23 others of my colleagues legislation which would extend, on an interim basis, the fisheries jurisdiction of the United States. As you know, this legislation was passed by the Senate during the closing days of the last Congress, but never reached the House floor. Today, I urge my colleagues to consider the current state of our oceans and the fate of those peoples who depend on the oceans for food. Serious conservation can begin in the waters off our coasts as soon as the 200-mile limit measure is passed. I urge the support of my colleagues for this most important bill.

MORE DOMESTIC OIL BY INCENTIVES

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. COLLINS of Texas. Mr. Speaker, America needs more domestic oil reserves. We must free ourselves from dependence on Arab imports. Felix R. McKnight wrote a sound editorial on this oil incentive. Here is the key part of the McKnight editorial in the January 19 issue of the Dallas Times Herald:

DON'T KILL INCENTIVE

One more time—the new, liberal-oriented Congress should lay aside its surface feelings about the American petroleum industry and act wisely in molding new tax policy for the oil folk.

It seems a foregone conclusion around Washington that the maligned oil depletion allowance, an incentive device used to encourage the search for new oil reserves, is dead and only awaiting formal burial.

Resuscitation is unlikely, but Congress should give one more honest, unprejudiced look at the consequences before taking a step that could come back to haunt everybody a few years hence.

The energy shortage in this country, horribly handled for the past few years, is real and worsening.

President Ford's jolting actions should be proof of that.

But if it becomes impossible because of an impulsive congressional act designed to hit at "the big boys," it may well be too late.

No special favors should be asked for the oil people. But neither should they be penalized in the heat of political action.

Most of the oil discovered in this nation—about 85 per cent of it—comes from the knowledge and persistency of small and independent operators—not the major companies.

There are multiple risks involved and all drillings do not result in producing wells and instant millionaires who light cigars with \$10 bills. Or smug guys who beat the tax rap through the depletion allowance.

If the depletion allowance, which has been working since the early days of the tax system, isn't the right answer, the Congress should come up with another risk incentive plan.

It doesn't make sense to ask a man to risk his capital so that we can ride around on his produced gasoline and stay warm by his gas—and not protect his failures in some manner.

If we insist upon taking away all reasonable and fair incentive at the very time the Arab oil producing nations are holding our feet to a fire that is about to burn us into chaos and economic ruin, we have all lost our senses.

The last session of Congress came dangerously close to not only sweeping out the depletion allowance, but to making it retroactive back a full year. That would have created unbelievable chaos for those who had budgeted a full year's business operation based on existing tax structures.

But it overlooked and ignored the risks and facts involved in the oil business—and the small independent with the guts and know-how to keep looking for oil so urgently needed.

The only question remaining is how prudently it will act in substituting a law that will permit accelerated exploration and not leave the entire nation as a dry hole.

Kill a man's desire, or incentive, and you've killed the man. It could happen to the oil industry if narrow vindictiveness is substituted for prudence.

MIA AWARENESS AND MILITARY AID

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. ADDABBO. Mr. Speaker, the second anniversary of the Paris Peace Accord cannot be celebrated without raising the most serious questions about our foreign policy in Southeast Asia. The return of our troops and prisoners of war 2 years ago was a long-awaited moment in history following years of military escalation and frustration in that troubled area, but the fighting continues without U.S. troops and we have failed to produce information about 1,300 missing in action.

It is a basic obligation of our Government to make every diplomatic effort to obtain the information about our missing in action. The President's proclamation of MIA Awareness Day was an important step in raising the national conscience on this problem and now we must motivate other nations to help us obtain the ac-

counting of those missing in action which basic international law demands.

The situation in Southeast Asia becomes more dangerous and closer to home as we prepare to debate the President's request for \$520 million in supplemental military funds for South Vietnam. The request comes at a time of economic crisis at home thereby raising fiscal as well as moral and military issues which must be answered by Congress. As a member of the House Appropriations Committee and as a Member who sponsored the amendments to end our military troop presence in Vietnam, I am surprised and very concerned by the President's request for this substantial—over 50 percent—increase in funds for South Vietnam.

The congressional intent in passing legislation requiring an end to our troop participation in Vietnam contained an assumption that there would be a gradual reduction in our entire military presence in Indochina. The President's request would, if granted, take us in the opposite direction.

The Vietnam war divided this Nation as few issues in our history. As we try to bind those wounds and unite our people in the face of an economic-energy crisis, it seems pointless and dangerous to stir up the Vietnam controversy by proposing such a significant increase in military aid.

The President has repeatedly asked Members of Congress to hold the line on spending. I cannot in good conscience agree that increased military aid to South Vietnam deserves the high priority assigned to it by the President. The congressional debate on this question will be most important and I urge my colleagues to scrutinize this request and reject any increase in military aid to Southeast Asia.

A DOSE OF NATIONALISM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GAYDOS. Mr. Speaker, the Ford administration's economics program has fared badly, as we all have seen, at the hands of media and institutional analysts across the country who have united in pointing out the inconsistencies such as the proposal for tax rebates while, at the same time, again boosting the price of fuel.

But none, in my observation, has pummeled the program harder than Mary O'Hara, a Pittsburgh Press columnist. She calls it a "cruel joke" and then offers some economic advice of her own which I believe warrants serious consideration here in Washington.

I quote her:

What these chaps (the President and his advisers) need is a strong dose of nationalism. They should stop giving it away, all over the world, and concentrate on creating jobs here, building our roads and developing our industries instead of Russia's, improving the

way of life for thousands here who are devastated by inflation and unemployment. . . .

She adds:

We have, and still are pouring billions of dollars into South Vietnam and this has not stopped war. We beef up other economies, pour money into countries that have nothing but contempt for us, use food to play political chess. There's nothing easier to spend than other people's money.

Miss O'Hara concludes with a statement in which I join:

We better get back on course and take cognizance of our priorities.

Some of us, Mr. Speaker, have been trying to sound this alarm over the years. We have been ignored. The foreign giveaways have continued in every way possible, many times devious, to obscure the truth about them from the American public. Now, as Miss O'Hara writes, we are up against the consequences which were inevitable. Our Nation's prosperity has been sacrificed to the benefit of others and these now show us little, if any, appreciation. Needless to point out, we are being bled financially, for example, by the very Persian Gulf oil states and others upon which we once showered our foreign aid billions and, in some cases, still are doing so.

When are we going to come to our senses? Miss O'Hara asks that. When are we going to stop the giveaways and concentrate on our own needs? The time, I insist, is here and no economics program, whether devised by the White House or by the Democratic majority of Congress, will have a chance of succeeding unless it contains a good dose of the nationalism which Miss O'Hara prescribes.

NESTOR MANUEL LARA-OTOYA

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mrs. SCHROEDER. Mr. Speaker, I am today reintroducing a private bill for the relief of Nestor Manuel Lara-Otoya, a man who lives in my district, Denver, Colo.

Mr. Nestor Manuel Lara-Otoya is the father of four children—all in their late teens or twenties, three of whom are in the United States, one of whom is missing. Mr. Lara-Otoya's wife is deceased. Now in his fifties, Mr. Lara-Otoya has no one of consequence to him in his native Peru. He is not, nor will he be, a public charge. He is supported by his family which has emigrated to the United States.

Mr. Lara-Otoya has been in the United States 4 years. He might have obtained lawful status by now had he spoken English or had someone to speak for him. None of Mr. Lara-Otoya's children can afford him lawful status in the United States by virtue of their own until 1976. If sent back to Peru, Mr. Lara-Otoya would have to go alone and wait alone.

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I believe that the personal and economic costs of his departure and later return would be an unnecessary and unfair burden on him and his family. His departure would unnecessarily disrupt a unified family life. By Peruvian custom and tradition Mr. Lara-Otoya is the head and central figure of family life. His family relies on him for good judgment, encouragement, counsel, and decision regarding all family matters of importance. He is of critical importance as a stabilizing influence on a family that has emigrated to this country. The role this man plays in his family, and the closeness of this family's life, cannot be overstated. Mr. Lara-Otoya's family is one struggling to stay together. It is unnecessary that the physical ties binding Mr. Lara-Otoya and his children be severed.

Mr. Speaker, the bill I am today reintroducing passed the Senate in the waning moments of the 93d Congress—too late for House consideration. I urge that the House take early action on the measure so that Mr. Lara-Otoya's future in this country will not continue in the jeopardy in which it is now.

TRIBUTE TO ROBERT GEORGINE—
AN EXEMPLARY MAN OF LABOR

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. BIAGGI. Mr. Speaker, recently in Washington some 2,000 prominent labor leaders and public officials gathered to pay tribute to Robert A. Georgine, president of the Building and Construction Trades Department, AFL-CIO. Those who attended were honoring a true giant of modern American labor, a man who has dedicated almost half his life to improving the quality of life for the American worker.

Bob Georgine was born on July 18, 1932 and attended high school and college in the Chicago, Ill., area. It was also in Chicago where Bob began his distinguished career in labor which has now spanned more than 20 years. It was apparent to those who worked with Bob in the early days in Lathers Local 74 that he was destined to become a leader in the labor movement. After serving a 2-year stint in the U.S. Army, Bob Georgine began to achieve the excellence which many expected.

In less than 10 years Bob Georgine rose through the ranks of Lather Local 74 achieving the position of international representative in 1964 and finally in 1970 he was elected general president.

From this point, Bob's career has been nothing less than spectacular. In May of 1971 he was elected as the secretary-treasurer of the building and construction trades department and after serving in this capacity for only 3 years he was elected president and has served with distinction for the past 7 months.

Those who attended the dinner agreed it was a fitting testimonial to this dedicated man of labor. Tributes flowed throughout the evening from the president through the hierarchy of organized American labor. It was apparent to many that Bob Georgine is now truly one of the giants of the modern labor movement.

Knowing Bob for me has been a unique privilege and distinction and I extend to him my warmest congratulations for what he has accomplished thus far. He has a limitless future in the labor movement. The strength of our Nation is due a great deal to the millions of working men and women. These millions rely on their leaders to represent their interests. The members of the Building and Construction Trades Union are fortunate to have a man of the caliber of Robert Georgine working for them. I know they join with me in extending him best wishes for continued success.

WILLIAM B. WIDNALL

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. HELSTOSKI. Mr. Speaker, many distinguished Members of Congress retired at the end of the last session, and today I would like to take a few minutes to pay tribute to William B. Widnall, who was honored last night at a special testimonial dinner. As you know, Bill Widnall represented New Jersey's Seventh Congressional District with dedication and distinction for nearly 25 years.

In view of the fact that I have the privilege of representing New Jersey's Ninth Congressional District, which is adjacent to the seventh, I was fortunate enough to have had the opportunity to work closely with Bill in helping the people of our community with their problems, and in implementing legislation beneficial to the citizens of our county and State.

During his tenure in the House, Bill Widnall provided the people of his district with outstanding service. While he and I sometimes disagreed philosophically, I nevertheless have a deep respect for him, and sincerely admire the way in which he performed his congressional duties.

Throughout his years of services in the House, Bill Widnall made many important contributions in the areas of banking and housing. As ranking minority member of the House Banking and Currency Committee, he played a major role in some of the most important bills to come before the House during the last decade.

Mr. Speaker, at this time, I would like to take this opportunity to extend my best wishes to Bill on the occasion of his retirement, and to thank him for the many fine contributions he made to the people of Bergen County. I am confident

that the citizens of our community will continue to benefit from his leadership and experience.

AMERICA, AMERICA—MAKE IT ONE AGAIN

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. BAFALIS. Mr. Speaker, all too often we in the Congress hear complaints that we are falling down on our job of restoring and protecting our Nation's economy. While there might be some rationale for blaming elected officials for some of the problems, it is truly a national problem, caused by each and every one of us.

For that reason, I would like to share with my colleagues a column which appeared recently in the Fort Myers News-Press, written aptly by that newspaper's business editor, Richard Dennis. I think there is much here which deserves to be said all across the Nation.

Our problems cannot be solved solely by us here in Congress, or even by us working closely with President Ford. It must be a national effort and that is what Mr. Dennis is appealing for. And I commend him for his efforts. May they be realized.

The article follows:

AMERICA, AMERICA—MAKE IT ONE AGAIN

(By Richard P. Dennis)

Remember the girl in Ohio who held up the poster during the Nixon campaign trek there that urged him to, "bring us together again"?

Well it didn't work out too well over the next few years and we, as a nation, are probably farther apart today than at any time since the civil war.

But the little gal's plea is still a good one and perhaps the only really dependable answer to the raft of troubles our country faces now.

It seems that so many of the basic values we once held sacred have diminished almost to a dim memory. At the outset of World War II for example, this nation became bound together with a patriotic adhesiveness that took us from an ill prepared target to a world force to be reckoned with.

Even in the Korean conflict, as it was to become known, when we vocally objected to our involvement, as a nation, we backed the effort. Our guys fought and died, supposedly to protect the freedoms and rights that we held so dear.

Then came the involvement in Southeast Asia and we began to balk. As that skirmish stretched on out, until it became the longest war in our history, we became practically rebellious about the whole vague principle behind the war.

Now, in a so-called peace time economy, we are in a genuine financial struggle, a bona fide recession, and so far, not much is being accomplished to cure the whole thing.

Not only are our economics in dire straits but look at the civil unrest around the United States. Busing conflicts in Boston, policemen monitoring religious services in Gary, a church getting a liquor license, labor fighting management, management fighting labor.

Last winter we proved once again that we wanted to pull together and that we can, and will, where a national emergency dictates that we must.

During the so called energy crisis we throttled back voluntarily from a screaming 70 miles per hour to a much safer and conserving 55. It wasn't the law enforcement control that made us do that, it was American awareness that we were in trouble and that we, collectively, could ease the problem.

Then, after our efforts, as the prices of fuel soared, we came to believe that the whole thing was a gigantic ruse on the part of the petroleum industry to jack their profits with controlled supply. We have heard hundreds of reports that the storage tanks in the country were actually spilling over with oil and gas and that we had been had . . . real good.

I think most of us believe that to be true although no one has yet authoritatively said so. But even a glance at the financial statements of the big oil companies will tend to confirm the suspicions.

Now we face possible profiteering in other mainstay industries such as lumber, sugar and meats. Our beef ranchers are paying 333 per cent more for some grains today than they were a year ago and we're told that our supposedly credible Secretary of State is encouraging still further grain sales to those, who only months ago, were our most formidable adversaries.

As we sit back and helplessly watch the nation's unemployment climb to six and one half per cent and hear forecasts of a possible 13 per cent, we also read and hear of the unbelievable waste in government.

We learn that money on deposit in banks and in other financial institutions is at the highest level in our history. More money than ever before and yet interest rates and terms make it totally foolish to borrow except in the most hopeless of circumstances.

We learn that there are millions of dollars resting in the coffers of the State of Florida alone that are being bottlenecked by the bureaucrats that could be actively employed in job producing, recession breaking, construction activity.

To top it all off we have been forced to see a president plummet from power because of lies, deceit, ambition, suppression, and cover-up. Naturally we've become suspicious about government in general.

In our own state we have cabinet members under indictment, judges unseated, bankers perjuring themselves and politicians under indictment running for office, and winning.

In Fort Myers proper there have been recent reports of political maneuverings in zoning actions and questionable methods being employed by local government officials in annexations and other land and development transactions.

We watch our construction, real estate sales, and tourism sales volumes slide to a dreary low while, at the same time, we see building permits issued for millions of dollars in new construction for the future.

Paradox.

Paradox.

Paradox.

So what can we do about it? To whom do we turn in this time when the traditional and trusted barometers seem meaningless? What can we do after we evidence the conclusions of the so-called economic experts who met with our president and came away offering little if anything.

Do we wait for still another war to correct the economy? That's been our solution in the past but it is very doubtful that it will ever be again. World War III would be short, devastating and economically meaningless. Our now ability to level the planet in a few days precludes the notion that full scale, wartime production, can turn the economy around.

Do we wait for some magic formula from Capitol Hill . . . some panacea for all the money ills . . . some mystical wand that will wave us all back into prosperity?

Do we wait until the recession becomes a total depression? Another 1929? The experts say that can't happen again but the gloom merchants say that if we are apathetic enough about everything it sure can, and will, happen again.

Or. Do we gather together once again, take a hemispheric deep breath, put the national shoulder to the wheel, remember our heritage, our freedoms, our 200-year fight to gain and protect and preserve what we hold to be sacred, and, together, pull out of this apathetic quagmire.

Should we look back to Jack Kennedy on the podium at his inauguration and take to heart his suggestion that we try and do for our country instead of expecting it to do for us.

Or perhaps we should go the route of the woman in Chicago and manipulate ourselves into \$100,000 in welfare payments and let our fellow man pay the bill.

Thank God Americans aren't like that. The great, great majority of us aren't, anyway.

Could Southwest Florida start an example?

Who among us is willing to put a lot more effort into our work to produce a more realistic profit for our employer?

What banker is willing to pull down his certificate of deposit rate and, in turn his interest rates on loans to get some money flowing?

What commissioner is willing to take a hard stand on excessive spending and admit that just because the county has a \$23 million budget doesn't mean that it all must be spent?

What politician is willing to put his office on the line to ensure the populace that only those programs that are needed and wanted by the majority will pass his or her approval?

What major retailer is willing to take a hard look at his profit and pricing structures to be very certain that the mark-up today is just as fair as it has been in the past. On every item.

What journalist is willing to take what might be called a nostalgic, idealistic stand for unity, sharing, and positively aiding and abetting his neighbor and fellow man.

I can answer for the last one.

Maybe it's time to recognize that Mother, the Flag, apple pie, and our home land aren't such corny, unsophisticated and passe' subjects as some would have us believe.

Gerald Ford and his Congress, be it Republican or Democrat, aren't going to change this country back to a viable, alive, economically sound entity.

We are, you and I.

SENSELESS DESTRUCTION

HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mrs. MEYNER. Mr. Speaker, I have been deeply concerned by recent reports of senseless destruction of valuable historical and prehistorical artifacts by the Army Corps of Engineers in Warren and Sussex Counties of New Jersey.

I am particularly disturbed because the Corps' actions appear to defy Federal regulations. In the Federal Register of February 19, 1974, volume 39, No. 34, part II, page 6480, the Department of the Interior declared that "historic proper-

ties which are either, first, eligible for nomination to the National Register of Historic Places, or second, nominated but not yet listed are entitled to protection under Executive order 11593." The Federal Register of May 8, 1974, volume 39, No. 89, part I, page 16176 declared that the "Old Mine Road Historic District" was entitled to protection under these provisions. Therefore, the area of Old Mine Road should be treated as a bona fide historical site and left completely unmolested by the Corps.

I have urged the Department of Environmental Protection of the State of New Jersey to take action on the nomination of the Old Mine Road area to the Federal Register of historical sites. I have urged them to use their influence to see that historical and archaeological value are given proper weight in the environmental impact and project studies to which they contribute.

I have also communicated my concern to the Army Corps of Engineers and urged them to abide by Federal regulations.

At the same time, however, I realize how many times before the Corps has resisted or circumvented the desires of other Federal agencies and the will of the people. I hope that we will soon see the day when the spirit of democratic accountability that we have seen recently in Congress will spread to Federal agencies like the Army Corps of Engineers.

Natural beauty, historical locations, and valuable archaeological sites are becoming increasingly scarce commodities in America. As our Bicentennial approaches, I believe that it is imperative that we make every effort to preserve the irreplaceable historical and prehistorical artifacts that constitute our legacy as Americans and friends of the Earth we inhabit.

HEALTH HAZARDS: AN INTERNATIONAL PROBLEM

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. DOMINICK V. DANIELS. Mr. Speaker, hazards to workers' health and safety respect no national boundary lines. And efforts to protect the lives and limbs of workers should likewise show no regard for man-made borders.

Two recent Russian studies pointing out the high incidence of cancer among Soviet workers exposed to chloroprene have been recently brought to the attention of the National Institute for Occupational Safety and Health, NIOSH, and American firms. Douglas Watson, in the January 25, 1975, issue of the Washington Post, reports that American scientists will soon visit the Soviet Union to personally observe the Russian experience.

I urge NIOSH to move quickly and decisively to safeguard the lives of

American workers exposed to this toxic substance on the job.

I am including the article on chloroprene and its link to cancer and commend it to my colleagues' attention:

[From the Washington Post, Jan. 25, 1975]

CHLOROPRENE LINKED TO CANCER

(By Douglas Watson)

Several American scientists soon will visit the Soviet Union to learn more about two Russian studies that report higher lung and skin cancer rates among people exposed to chloroprene, a colorless liquid chemical used in the production of synthetic rubber.

Officials of the National Institute for Occupational Safety and Health (NIOSH) and E. I. du Pont de Nemours and Co., which operates three chloroprene plants in this country, say they are very concerned about the possible implications of the Soviet studies for an estimated 2,500 Americans who work with chloroprene.

Du Pont in recent weeks has tightened procedures to limit plant exposure to chloroprene which it produces in large quantities for chemical processes and marketing under the trade name of Neoprene. It also has alerted its customers to the possibility of "escaping chloroprene."

Neoprene is used in making hoses, cable sheaths, adhesives, fabrics and other goods where the chemical's high resistance to weathering and oil is valued.

Du Pont executives said the chemical corporation also has notified its chloroprene workers about the Russian medical studies and plans soon to send three company representatives to Soviet Armenia, where there is a chloroprene plant and where the Russian studies were done.

According to NIOSH, one Russian study of 19,979 people between 1956 and 1970 found that the incidence of lung cancer was at least 2½ times greater for chloroprene workers than those in many other jobs.

The second Russian study looked at 24,989 people over the same 15-year period and found that the incidence of skin cancer was at least 4½ times greater for chloroprene workers than for those not exposed to the chemical.

The study also found that those working with chloroprene derivatives had a skin cancer rate that was higher than average but still little more than half that of persons who had worked for long periods in chloroprene production.

Federal and Du Pont officials emphasized that they know of no deaths or higher cancer rates among American chloroprene workers. But they acknowledge that long-term mortality studies to detect any pattern of chloroprene-caused disease in this country have not been done.

Dr. Joseph Wagoner, NIOSH's director of field studies and clinical investigation, said his agency is "deeply concerned" that chloroprene-caused cancers may have gone undetected in this country and has begun investigating the health of chloroprene workers.

Du Pont produces chloroprene at plants in Louisville, Ky., Laplace, La., and Houston. Another Du Pont chloroprene plant—in Montague, Mich.—closed in 1972.

NIOSH said that in recent years up to 385 million pounds of chloroprene have been manufactured annually, with production involving an estimated 2,500 workers now and an unknown number of former chloroprene workers.

"It takes maybe 10, 15 or 20 years for these things (diseases) to show up" in individuals, said Dr. John A. Zapp, director of Du Pont's Haskell Laboratory in Delaware, which in December first reported its concern to NIOSH, the research agency for the Occupa-

tional Safety and Health Administration (OSHA).

Du Pont began taking a closer look at chloroprene last year after workers at another plant were found to have died of angiosarcoma, a rare liver cancer, as a result of industrial exposure to vinyl chloride, a gas used in manufacturing vinyls and plastics.

Chlorophene is a member of the vinyl chloride chemical family, Wagoner said.

Zapp said that Du Pont began studying the medical literature on chloroprene and came across the Russian studies this fall. Zapp said Du Pont's concern "is more theoretical than anything else" because its own statistics indicate no unusual incidence of cancer among the company's chloroprene workers.

NIOSH's report says, "Humans exposed to chlorophene have been reported to develop dermatitis, conjunctivitis, corneal necrosis, anemia, temporary loss of hair, nervousness and irritability."

Lyle Cressey, manager of Du Pont's Louisville plant where 500 people work with chloroprene, said, however, the only effect of the chemical noticed there is that a few workers have developed skin rashes.

Chlorophene is listed at 412th on NIOSH's priority list for developing toxic substance standards. Asked why there haven't been any American studies of chlorophene's effects, a NIOSH official said, "There are just so many chemicals to look at that it's been impossible to cover the whole territory."

PITTSBURGH DISTRICT LOSES
COL. NORMAN G. DELBRIDGE, JR.

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GAYDOS. Mr. Speaker, next month the Pittsburgh District Office, U.S. Army Corps of Engineers, will lose an officer who has been almost totally involved in the water problems of western Pennsylvania since his arrival there in June 1972.

Col. Norman G. Delbridge, Jr., came to Pittsburgh in the midst of tropical storm Agnes, which caused extreme flooding in the area resulting in millions of dollars in damages. For the first 6 months of his tour, Colonel Delbridge devoted his time almost exclusively to flood recovery operations. His efforts and interest on behalf of the people of the area earned him the Service Merit Medal, the last in a series of military honors accorded him during his career.

While assigned to Pittsburgh as District Engineer, Colonel Delbridge was responsible for water resources development, including flood protection, navigation, and recreation for 27,000 square miles, encompassing parts of five States. He was instrumental in the expansion of recreational activities throughout western Pennsylvania and worked closely with sportsmen and conservation groups.

Under his direction, several major construction programs were started or planned, including: Girty's Run Flood Protection project in Allegheny County, scheduled for initiation in July of this year; the Saw Mill Run Flood Protection project, the on-going \$35 million Charti-

ers Creek Flood Protection project; the new \$87 million Hannibal Locks and Dam at New Martinsville, W. Va., scheduled for completion this year; the Warrendale Bulk Mail Handling Postal Facility; the \$4 million DuBoise Flood Protection project, and the proposed Stonewall Jackson Dam at Weston, W. Va.

A former enlisted man who subsequently graduated from West Point Military Academy, Colonel Delbridge holds a master's degree in civil engineering from Iowa State College and is a registered professional engineer. He has had articles published by the National Academy of Science and the Army War College Commentary.

His military assignments have been varied. In Europe, Colonel Delbridge supervised airfield construction during the historical Berlin Airlift; in Turkey he was chief of construction with the Mediterranean Division and in Vietnam he commanded the Fourth Engineer Battalion, Fourth Infantry Division. He also has served in Korea and Japan. Immediately prior to his assignment in Pittsburgh, Colonel Delbridge served with the Office of the Chief of Research and Development, Department of the Army, in Washington.

During his career, Colonel Delbridge has accumulated an impressive list of honors. He holds the Legion of Merit with Oak Leaf Cluster, the Bronze Star with Oak Leaf Cluster, the Army Commendation Medal with three clusters, the Air Medal with two clusters and the Vietnamese Cross of Gallantry with Palm.

Mr. Speaker, Colonel Delbridge has served his country and the people of the Pittsburgh area extremely well. He has proven himself to be a credit to the military service and the members of his command. I wish him well in his new assignment. I know he will fulfill it to the best of his ability. He always has.

ACTION, NOT TALK, NEEDED ON ENERGY PROBLEMS

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. PETTIS. Mr. Speaker, in a few days the House will take up consideration of legislation from the Committee on Ways and Means dealing with the President's imposition of fees on oil imports. This bill deserves the most serious study by Members of this body because the consequences of it are serious for our Nation and the world.

I would like to bring to everyone's attention an editorial which appeared in yesterday's Wall Street Journal. The points in the editorial are well taken and should be considered by all of us.

The editorial follows:

[From the Wall Street Journal, Jan. 28, 1975]

CAPITOL HILL AND OTHER CAPITALS

French Foreign Minister Jean Sauvagnargues recently has been refusing invitations to criticize U.S. foreign policy; with French

ministers that's somewhat equivalent to Billy Graham refusing to discuss sin.

Some might interpret this as a sign of improvement in U.S. foreign relations, and, in a sense, it is. But we suspect that it also reflects a widespread fear in many foreign capitals that U.S. leadership in world economic and energy problems can't withstand challenges from abroad. It is already too badly weakened by the wrangling in Washington between the administration and Congress.

That fear is justified and the Europeans and Japanese are further justified if they feel they are more vulnerable than the U.S. to the dangers presented by the U.S. disarray. But the U.S. is vulnerable too and it is time for Congress to offer some better evidence that it can help the President and his Secretary of State form coherent and trustworthy foreign policies.

The latest evidence was entirely to the contrary. It was offered over the last few days by the newly expanded, newly led and newly liberalized House Ways and Means Committee, which reported out a bill designed to sabotage the President's attempt to show toughness towards Arab oil producers. The bill, which would revoke a \$1-a-barrel oil import tariff due to take effect Saturday and scheduled to rise to \$3 by April 1, may not make it through Congress. But then again, it may, perhaps just before the much heralded spring confrontation between oil consumers and producers.

The oil tariff is central to foreign policy at the moment as it attempts to demonstrate to the world that the U.S. cannot be made hostage to Arab threats of an oil embargo in any future Arab-Israeli hostilities. A tariff is not the only policy to accomplish this end; some alternatives, particularly stockpiling, may indeed be preferable. But at the moment Mr. Ford's tariff is the only policy we have; Congress certainly is far from ready with any alternative. So for it, to undercut Mr. Ford, would only enhance the impression that already gives the producing nations such leverage in bargaining; the impression that the U.S. is a feeble nation incapable of following any policy at all.

Now, none of this is to say that Congress should have no role in making foreign policy. But it does say that Democrats, who are for all practical purposes leaderless in Congress, would do well to approach foreign policy with great caution until they can demonstrate that they have a coherent and acceptable concept of their own. We see little evidence of that in the latest move by the Ways and Means Committee or in anything else put forth from the various power centers of the Democrats in Congress.

What we do see is a parochial attitude towards the programs the President is putting forward, as if the central issue of the oil tariff was a nickel at the gas pump rather than international war and peace. That perception is obviously not shared in Paris, London or Rome, where the central question is whether the United States still can lead the Western world or whether its leadership has floundered on its own domestic disunity.

If the impression persists that the U.S. can no longer lead, it is not hard to envision the kinds of decisions other states will make in coming months. The Europeans and Japan will continue to make their private deals with the oil producers, freezing themselves into long-term disadvantageous economic relationships. The nominally friendly oil producers, Saudi Arabia and Iran for example, will look for their political security elsewhere, in enormous arms build-ups and alliances with Arab states that are disposed to enmity towards the West. Smaller states will look for security where they can find it, Russia or China, perhaps.

Mr. Ford and Mr. Kissinger are trying to put together a Western alliance to confront

the OPEC nations this spring. The OPEC nations are trying to shore up their own alliance in the face of glutted international markets for oil. For the U.S. alliance to work, there has to be some perception among potential allies that U.S. foreign policy cannot be torpedoed unexpectedly by the whim of some obscure Congressman with influence in the Democratic Caucus.

There is a mood of fear and expectancy as other capitals try to assess whether U.S. policy is reliable. But on Capitol Hill, there seems to be only a minimal perception of what hangs in the balance.

NATIONAL HEALTH SERVICE CORPS BILL

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. CARTER. Mr. Speaker, I am introducing today urgent legislation to extend and amend the National Health Service Corps Act.

The National Health Service Corps is really a very small Federal program but is one that has had, and I trust will continue to have, great impact. It is a simple idea and, as is true of most simple ideas, it works. The program has two parts, one is to establish scholarships for students enrolled in health professional schools, who then fulfill an obligation to become members of the NHSC for a period equivalent to the number of years of their scholarship, and the second to place physicians and dentists in communities where there are either no providers of health services or in areas with a critical shortage of health care professionals. Data reveals that the arrival of a physician in such an area markedly improves that community's health status and very definitely enriches that community's quality of life.

Over the last year, this program has systematically and aggressively recruited and found placements for health care personnel in areas of need. Over 400 NHSC assignees are now serving people in critical shortage areas who otherwise would be unable to obtain medical attention. Another 200 are slated to go into the field this summer.

These data reveal the great success that Corps recruiters have had, especially when one considers the numerous options open to physicians, and the additional fact that they usually make firm plans and commitments a year or more in advance.

I have been able to determine, Mr. Speaker, that the recruiting effort has been markedly improved. This improvement is attributed to the careful matching program of the NHSC which attempts to place the right physician with the right community. Recent data reveals that this effort has been successful since many physicians who have served their 2-year term have decided to remain in the community in which they had been matched. The increase in the retention rates is a sign that the program is achieving its principal objective; to wit, to place qualified physicians where they

are needed most. Many areas are quite capable of supporting a medical or dental practice.

The problem in the past has been to recruit physicians where there has been no prior medical or dental practice. These problems are now being overcome by the NHSC.

The Subcommittee on Public Health spent many hours during the last Congress considering ways to address the great problem of medical manpower and specialty maldistribution. Those who participated in these deliberations recognized that the corps was an outstanding approach to a difficult problem.

Surely there will be more involved measures taken with respect to medical school support scholarships but there is general agreement that the corps represents a significant step in the right direction. Yet, the corps is now at a critical juncture. Its statutory base is through a continuing resolution which expires on February 28. If we wait to take action we may very well get bogged down, as we did in the last Congress, with the health manpower and complex maldistribution problems that I mentioned earlier.

Ordinarily, this would not pose a serious problem; but the corps' budget for last year was based on its first 2 years of operation, when it was a fledgling organization.

Now the corps has come of age. It has recruited physicians on the basis of an anticipated increase in funding. The corps has done its part—doctors have been recruited and matched with previously selected medically underserved communities. Now it is time for Congress to act.

I have been informed by several physicians who have been selected already that, owing to the lack of legislation and adequate appropriations, their desire to serve might be frustrated. To jeopardize needlessly the likelihood of these physicians going to work in our medically underserved areas is a shame in itself. But there is another, urgent consideration and that is the possibility of jeopardizing the cooperation of local communities with the Federal Government.

Communities are not just assigned a corps worker arbitrarily. When a physician or other health professional is recruited and begins to serve, this is only the culmination of literally months, and sometimes years, of hard work at the local level.

In a partnership with the NHSC, communities seek out or form a nonprofit corporation to set up, assist, and oversee the management of the medical practice in which the corps worker will serve. The local community and NHSC work together arrange for the necessary linkages with hospitals, ambulance services, pharmacies, medical and dental schools, and all the other needed support facilities. They work together to set up the business aspects of the practice and arrange for hiring support personnel and for keeping the records and accounts systems. They work together to ease the way of the corps assignee into the community by arranging for housing, a job for a spouse, if necessary, and so forth.

Once the corps assignee actually begins serving in the community, the local organization charges reasonable fees for the services provided. These receipts are divided, under a prearranged formula, between the local organization and the Federal Government, with all profits at the local level plowed back into the practice by upgrading the facilities or services.

I have taken this time to detail this relationship in order to demonstrate the tremendous amount of preparation and consideration that underlies each assignment of an NHSC worker.

This is one program where the Federal Government recovers at least some of the costs of helping communities and individuals. But more importantly, it is a program which not only promotes a needed medical service, it fosters a relationship of equality and cooperation between the Federal Government and local organizations and individuals.

If we fail to fulfill our part of this relationship by failing to enact this legislation, we would not only seriously impair health care, we would provide yet another example of an unfulfilled promise to our communities. To do so would only lend further credence to the frequent distrust and cynicism directed not only toward the Federal Government as a whole, but toward Congress.

In my own State of Kentucky we have 43 counties that have been classified as having critical medical manpower shortages. We anticipate 13 NHSC assignees. More are desperately needed. To cut back this program now that the communities and doctors have been identified, in my judgment, would be tragic for the communities of my State, and for those in many other States as well. Up to 200 doctors and other professionals who already have been recruited may have to be turned away unless we can provide immediate relief in the form of this legislation. We must not hesitate to do our part to preserve and improve the health conditions of those living in the medically underserved areas of our districts. The size of appropriations that is necessary to fulfill the compassionate objectives of the NHSC program is really insignificant when compared with the immensity of other HEW programs.

Mr. Speaker, this is an important, timely, and vitally necessary proposal. The National Health Service Corps already has proven to be an integral piece of an overall rural health and geographical redistribution strategy. It has a great potential for further improvement of our Nation's health system, and prompt passage of the measure I am introducing will prevent the thwarting of that potential.

U.S. PERSIAN GULF POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. HAMILTON. Mr. Speaker, on January 28, 1975, I delivered some re-

marks to a conference for corporation executives on "Outlook 1975: The Middle East and Energy" held at the Johns Hopkins University School of Advanced International Studies here in Washington.

My remarks concentrated on U.S. policy toward the Persian Gulf. This region has acquired new importance in recent months because of the energy crisis and has become the focus of considerable debate. Our policies there continue to need careful consideration and continual reevaluation by Congress and the executive branch. My remarks follow:

U.S. PERSIAN GULF POLICY

Ladies and Gentlemen, my remarks will focus on United States policy toward the Persian Gulf. When everything is said and done about energy policy today and tomorrow, it is clear that for the next few years no energy-related foreign policy issue is likely to be more important to the Western world than the success or failure of our policy in the Persian Gulf, where nearly three-quarters of the world's proven oil reserves lie.

We can, indeed must, reduce energy demand, increase alternate energy supplies; prepare for emergencies, and work toward self-sufficiency. But we also have to find successful ways of dealing with the Persian Gulf states if the Western world is to survive and continue as we know it.

U.S. INTERESTS

The United States interests in the Persian Gulf are several:

We want peace and stability throughout the region.

We want, for us, our allies and our friends, secure access to oil at reasonable prices.

We want to help foster internal development and regional cooperation in the entire Persian Gulf and Arabian Peninsula region. The 50 million people in the Gulf region have a legacy more of conflict than cooperation.

We want to help keep the region relatively free of extensive Soviet influence. It is obviously not in our interest for the Soviet Union to be able to determine how and on what basis we obtain access to Middle East Oil.

We want to assure that the rapidly increasing financial resources of the Persian Gulf states are used in ways which do not destabilize our economy or the international monetary system.

We want to expand United States export of goods, services and technology to the states of the Persian Gulf, and

We want to create a degree of interdependence and mutual respect which will help solidify all other relationships for the future.

From these interests flow—or at least should flow—a policy comprised of economic, political and military components, carefully orchestrated to achieve development, stability and security.

POLICY COMPONENTS

Let me point out several prominent aspects of present policy:

1. We are relying essentially on Iran and Saudi Arabia to maintain security in the Gulf Region. We are selling billions of dollars of arms to these two states, principally Iran. Last year, sales to Iran and Saudi Arabia accounted for nearly sixty percent of total worldwide U.S. arms sales of over \$7 billion.

2. We are trying to prevent the Arab-Israeli conflict from becoming a source of confrontation between Arab oil exporters and ourselves. Whether we like it or not—and we do not—the Arab-Israeli conflict is a central political issue for all Arab states in the Gulf. Although our interests in the Persian Gulf were once immune from the Arab-

Israeli conflict, the impact of that conflict now pervades all aspects of our dealings in the entire Middle East region, if not the world. We can no longer divorce the Gulf region from the conflict, but we do seek to diffuse the conflict itself. In view of this conflict, the U.S. standing in the Arab world—with a few notable exceptions—remains remarkably good.

3. We seek a special relationship with Saudi Arabia. We have had a long standing and close relationship with Saudi Arabia and its leadership. Over the last three decades we have built a series of political, economic and military relationships with Saudi Arabia that have been the backbone of our policies in the entire Arabian Peninsula.

Saudi Arabia remains a friend today and the closeness and warmth of our ties with Saudi Arabia are barometers of our relations with all the other smaller states in the Gulf area.

4. We occasionally use the threat of military force to try to achieve changes in OPEC policies which we consider detrimental to the Western alliance. Those who are suddenly excited about Secretary of State Kissinger's reference in his recent Business Week interview to the possible use of force in the Middle East if the West faced economic strangulation, should be reminded that President Ford last fall and Secretary of Defense Schlesinger afterward introduced the same threat into the Persian Gulf policy mosaic.

5. We want to increase political, economic and technological interdependence between the United States and producing states in the Gulf. Such interdependence has been a foreign policy goal in the Gulf for several years. However, it is becoming increasingly clear that economic and technological cooperation must flow from a basis of political consensus and economic understanding on oil.

Such a political compatibility exists today on many issues and we are aided by the traditionally good ties we have had with most Gulf states.

U.S. FOREIGN OIL POLICY OBJECTIVES

The objective of U.S. foreign oil policy is to assure adequate and reliable supplies of oil at reasonable cost and without serious damage to U.S. relations with other nations.

We do not want to be vulnerable to any cutoff of Middle East oil, nor do we want to depend on Arab oil too much.

We want to maintain international economic order.

Oil fluctuations and the massive transfer of funds from oil importing to oil exporting nations can aggravate economic difficulties and pose a danger to the international monetary system.

We want to help insure that the less developed countries, which have been dealt harsh blows by the increased oil prices, are able to obtain adequate fuel requirements. We do not want oil to become a source of disruptive and dangerous controversy, and we want all oil consuming nations to obtain the oil they need.

To promote these energy objectives, we have concentrated on four policies:

1. We seek to achieve solutions to our energy problems through cooperation, first, among oil consuming countries and only then with producing countries. Although our continuing efforts to achieve consumer solidarity are being interpreted by some producers as seeking only confrontation, our stated policy indicates we want a dialogue on energy matters with both producers and consumers.

We want cooperation in meeting oil supply emergencies; in relieving the energy problem of developing nations, in diversifying energy supplies and conserving energy, and in stabilizing oil prices and supply levels.

Secretary Kissinger continues to advance the theory that only on the basis of consumer coordination on energy policy can the objective conditions be created by which the price of oil will come down. One year after Kissinger started dealing with energy policy, we are still waiting for prices to come down, but there is some evidence that consuming countries are cooperating on aspects of energy policy. The emergency oil sharing agreement and new financing arrangements are encouraging evidence of progress in cooperation.

In the absence of any dialogue with producers, however, it will appear to many producers that we are preparing for confrontation. Right now it is not easy to measure what mix of cooperation and confrontation our government seeks.

2. We seek to demonstrate an ability and determination to reach self-sufficiency. The purpose of domestic programs of conservation and the development of alternative energy supplies is to persuade Persian Gulf producers that the years of their control over our energy market may be numbered and that their oil policies should be moderated.

Self-sufficiency does not, and should not, mean that we will not import any oil. Rather, it means we should seek to maintain a degree of self-sufficiency that permits the United States to adjust to oil supply interruptions without serious hardships.

3. We rely primarily on international oil companies to negotiate with producing states on issues of supply and price. The United States Government continues to operate on the assumption that it is best to keep the government removed from oil negotiations, despite the troubles oil companies have had in countering demands by producing state governments.

Since 1970 U.S. oil companies operating overseas have faced severe challenges.

Strong companies which once might have been able to maintain both our national interests and their corporate interests are becoming service organizations, as producing states move toward nationalizations and majority ownership of oil installations and operations.

Producing states are asserting all the prerogatives of ownership: they are establishing output levels, price, marketing and distribution procedures. They hike taxes and set prices at will. The main contributions of U.S. oil companies today is the \$3 billion addition to our balance of payments annually.

The options available in this predicament are threefold:

A direct bargaining role for the U.S. Government on oil price and supply issues;

Continuing to rely predominantly on oil companies to provide oil at reasonable prices;

A more active role by the Government on the periphery of negotiations but no direct role at the negotiating table.

In recent months, there are indications that the Government is willing to play a more active role. Gulf Oil, for example, could not agree last summer to pay Kuwait what it wants for participation oil without a strong, public rebuke by our Government.

During the oil embargo last year, there was some talk about what role the United States Government might play in future negotiations. That talk, however, appears to have subsided. An uncompleted study for FEA on this topic may add something to this debate but a concerted inter-agency study of the need and implications of a Government role in oil negotiations remain a policy question of the immediate future.

4. We have been trying to persuade Persian Gulf producers that it is in their interest to lower prices. We have concentrated in this effort on Saudi Arabia rather than confront the Shah of Iran. We have begged,

cajoled, appealed to the producers' own economic self-interest. Some American officials have even threatened the use of force. But—and this is the significant point—we have failed to bring oil prices down.

Today even our strategy on prices is less clear. In a November 25, 1974 speech at Yale University, Assistant Secretary of State for Economic Affairs Thomas Enders mentioned a need to hold OPEC's potential market down by cutting consumption, but guarantee, at the same time, that new production—stimulated in non-cartel countries by higher prices—is guaranteed a market. Enders was suggesting a high price, high domestic production strategy. A continued real oil price of \$11 a barrel is meant, in this possible scheme, to have the effect of creating stable investment expectations. In this view any downward break in world oil prices could be devastating for heavy American and other Western investment in the development of alternative energy sources.

Secretary of State Kissinger, in a November speech in Chicago, and in a recent Business Week interview, seems also to be putting less emphasis on lowering oil prices as an immediate objective. In that interview he suggested that oil prices will not come down in the short run, but only after a concerted consumer strategy is developed.

Today our oil strategy seems to stress conservation, development of alternative sources of energy and consumer collaboration more, and lower oil prices less.

But the question remains: is this strategy part of a recognition that we have failed in a key effort to lower prices, or is it part of a reassessment of the objectives of our energy policy, and a realization that higher prices might have benefits for Project Independence and other aspects of our national energy program.

OVERALL ASSESSMENT

I have listed several policies we are currently trying to implement to protect our interests and strengthen our ties throughout the Persian Gulf region.

Obviously no one could have predicted or anticipated the events of the last few years and the dislocations caused by actions taken by leaders in the Persian Gulf. The five-fold increases in oil prices, the impact of oil cut-offs and embargoes and the political effects of the October 1973 Middle East war have put the Persian Gulf and our policies there on center stage.

Some of the policies have simply not worked; others have been mismanaged here or misinterpreted there. But policies can be changed and revised. We have so many natural advantages pulling for us in the Persian Gulf that it would be a serious mistake if present policy deficiencies were allowed slowly to dissipate our current favored position.

Our problems in the Gulf are manageable and our energy policy problems in that part of the world are solvable. We and the states of the Gulf have mutual advantages in good relations. We have shared interests in the supply of oil, price stability, Western security and a stable international financial market. Conciliation and cooperation—not confrontation—or the threat of it—should mark our approach to the Persian Gulf States.

We have many advantages. One is that two of the three most important states in the region, Saudi Arabia and Iran, are very close to us. Only Iraq among the larger Gulf states today has poor relations with Washington.

Other advantages include: The British heritage throughout the region, The widespread respect for our military and technological capabilities,

Our valuable and growing market for oil, and the attractiveness of our economy for their investments.

The closeness of the ruling gulf families, often from education here, to the American way of life.

In dealing with the Persian Gulf we have a head start, even over some of our closest allies. We should continue to build on the desire of many Arab leaders for a closer relationship with the United States.

We also have some disadvantages, including the differences on oil prices, on our concepts of the role of OPEC and, of course, our strong support of Israel.

Despite these disadvantages, we have many opportunities in the Gulf. Rather than avoid the differences we should make them central in our day-to-day relations and speak frankly about them. Rather than continually trying to divorce the Persian Gulf from the Arab-Israeli conflict, which cannot be done, we should press on for a peace settlement.

For years we have tried to follow a two-track policy in the Middle East. On one track, we pursued policies toward the Arab-Israeli conflict and tried to create opportunities for promoting peace. On a separate track, we approached the states of the Persian Gulf and the issue of obtaining adequate supplies of oil at reasonable prices. It was a policy objective to insure that these two tracks never became interrelated or conflicted.

Recently, it has been impossible to separate the two policies. Today, the Arab-Israeli conflict is a major factor in our Persian Gulf policy. The course of the Arab-Israeli dispute will probably determine whether the U.S. has access to oil. But this does not mean that we have to choose between the security of Israel and access to oil. Moderate Arab leaders are not pushing us to any such choices, partly because it would risk damaging the world economy on which all of us depend.

Our policy goal should be to develop the kinds of policies toward the Persian Gulf which help promote peace and stability in the whole area, and which are not solely dependent on rapid and steady progress towards an Arab-Israeli conflict settlement. There will be many stops and starts and detours on the road towards a Middle East settlement, and while we cannot insulate Persian Gulf policy from other developments in the region, we can devise policies that can survive the frequent fluctuations in Arab-Israeli negotiations that inevitably will occur. The wisdom of doing everything possible to achieve a settlement of the Arab-Israeli dispute is obvious. It is less obvious what steps short of settlement we can take to reduce the risk of an oil embargo or supply restrictions.

POLICY CHANGES

To strengthen our Persian Gulf policy, I offer several suggestions:

1. Our policy should place greater emphasis on economic, commercial and technological factors and less on the military factor. We should avoid any military role in the small states of the Gulf, and we should consider reducing our substantial military presence in Iran and Saudi Arabia which now numbers close to 1,500 men. We should also probably consider withdrawing MID-EASTFOR, that curious three-ship fleet, which is currently stationed on the island of Bahrain.

I am disturbed when we simply announce—with no public debate or even knowledge that a decision is imminent—that we will significantly depart from past policy and begin selling sophisticated weapons to Oman and seek base rights on island of Masirah.

2. A fundamental redefinition of the role of our government in future negotiations between oil companies and producing countries is needed. The U.S. Government should be involved because the issues have a bearing on our national interest. The oil companies may no longer be able to protect ef-

fectively our national interest and those of our allies in Europe and Japan. Trade in oil can no longer be left solely to a handful of oil companies and exporting countries. The interests of too many Americans are too closely linked to the results of those negotiations for them to be unrepresented at that bargaining table.

3. Systematic attention must be given to the connection between our oil interest in the Middle East and our military relationship with Saudi Arabia and Iran. If access to their oil at reasonable prices is in our national interest, and if our military technology is in their national interest, then there is much ground for mutual cooperation. Put another way, if we are to be concerned about their security and sell them arms and technology, then they must be concerned about our security and sell us oil at tolerable prices.

4. We should not make threats of the use of force against certain oil producing states. I would prefer to see a more concerted effort by consuming states, especially the United States, to achieve a dialogue with producing states, both bilaterally and multilaterally.

Our many shared interests can best be advanced through careful, systematic bilateral and multilateral discussions. Such an atmosphere of cooperation will do more good than confrontation. We must be prepared to act unilaterally should cooperative efforts fail, but the emphasis should be on cooperation and conciliation, not confrontation. It is only in direct meeting with producers that we will be able to put effectively all our relationships on the table and devise a mutually satisfactory basis for future cooperation in all areas.

5. U.S. policy toward Iran has contributed in a major way to Iranian military dominance in the region, which is not necessarily in our interest or in the interest of regional cooperation among all our friends. We should continually evaluate the degree of support we give Iran and the unproved and undebated premise of our policy that Iran acts in our interest. The Shah acts in Iran's own interests and those interests are not necessarily compatible with ours.

6. We should encourage regional cooperation, especially in the security fields, between our two strongest friends in the area, Iran and Saudi Arabia. At the same time we should also try to broaden the small areas of mutual interest we have with Iraq in the hope of eventually re-establishing relations, and in the hope that Iraq can be a responsible and moderate force in the Gulf region. Cooperation among all Gulf states is in our interest.

7. Special attention to United States-Saudi Arabian relations is necessary in the next several months. In the summer of 1973, the big question was whether King Faisal was bluffing when he said an embargo was possible if there was no progress toward a Middle East peace. Whatever reservations we may have about his internal policies and personal views, he is an old friend and over a long period of time he has meant what he said and said what he meant.

Last year, we urgently instructed the Saudi Arabian Ambassador to tell his government that we wanted to create a new special relationship and to establish special joint commissions with Saudi Arabia to help effect closer ties. We launched this report three days before Secretary Kissinger's February 1974 Washington Energy Conference was viewed by the Arabs as a step toward confrontation, and we followed up this proposal with the creation of joint commissions with just about every other country in the Near East and South Asia region.

We have done relatively little in the last year or two to demonstrate effectively to the Saudi leadership that we sincerely intend to reinforce and preserve our special ties. Our

bilateral relationship, which has been in the past almost exclusive, may be facing growing pains. Each state may be re-evaluating past relationships. If we still believe there is a need and desire for maintaining our former closeness, we will need to give substantial substance to the joint commissions and work toward a franker and better dialogue and understanding with Saudi leaders on policy issues. In our dealings with the Saudi elite, we must explain better why we aid Israel and why we sell vast quantities of arms to Iran. We cannot pretend these issues do not exist in Jiddah, as we may have done in the past.

8. We need to devise a comprehensive, systematic approach to the handling and investment of excess oil revenues from the Gulf States. We must promote the exports of American goods and services and decide which investments we welcome and which investments by them we do not welcome.

The entire recycling problem needs thought and attention. We must be thinking of ways to encourage petrodollar investments overseas without exposing the United States or our financial institutions to unacceptable risks and yet satisfying the financial security of the Gulf states and their fears of default, devaluation and inflation. The solution must involve the oil producers, as well as the consumers.

I have been impressed that Japan is able to sell as much or more, non-military goods and services to Saudi Arabia, for instance, than we are, and several other states are increasing their exports at a faster rate than we are. For example, France's exports to the major OPEC states increased in the first nine months of 1974 to nearly 8 billion francs from close to 1 billion for the equivalent period of 1973.

The United States cannot boast of such dramatic improvements. Moreover, Britain is beating the United States commercially in the lower Persian Gulf.

The seeming reluctance on the part of some Gulf states to "buy American," to the degree they have in the past, may be because the Gulf states do not like U.S. energy policy or U.S. Middle East policy, or because they want to diversify their business, or because U.S. businesses, with the exception of defense-related industries, are not conveniently nor easily galvanized into action in new and distant foreign regions.

Whatever the source of the problem, the United States is unlikely to increase significantly its exports to the Persian Gulf in non-military areas without changes in policy.

9. We urgently need to rethink our arms sales policies in the region. I worry about the potential implications of an escalating arms race there. Over the last 8 fiscal years 42 percent of the \$20.8 billion in arms we have sold overseas went to the Persian Gulf, principally Iran and Saudi Arabia. Kuwait and Oman must now be added to the listed receiving sophisticated arms.

I also worry about the implications of:

Transfers of arms and repeated actions across borders.

Iranian involvement in Oman.

Pakistani pilots in the United Arab Emirates.

Foreign military involvement in the Yemen Arab Republic.

Jordanian officers throughout the lower Gulf, and

Iranian transfers of equipment to Pakistan, Jordan and elsewhere. The more arms in the region, the more they are likely to cross borders.

It is not alone the volume of arms that disturbs me, but the compactness of the region, the looseness of borders, and the long list of potential, tribal, political, ethnic and religious disputes that could erupt at any time, as they often have in the past.

I was once told that over the last three years, three of the most important United States Government policy statements on the Persian Gulf were three annual presentations by Assistant Secretaries of States before the House Foreign Affairs subcommittee on the near East. The Subcommittee is not flattered by such accounts. Rather, I find it symptomatic of the lack of systematic policy attention to the region and the absence of any clear and coherent policy.

Our task is to work for a fundamental change in our relations with the Persian Gulf states. It should be an open, mature relationship; characterized by systematic, regular government-to-government discussions, and where our shared interests are emphasized and our purpose is cooperation, not confrontation.

Hopefully, our Arab friends will come to see the U.S.—less as a staunch and faithful friend of Israel—and more as an increasingly important trading partner, a good place to invest excess oil monies, and a source of advanced technology.

AN ADDRESS BY CONGRESSMAN
WILLIAM S. COHEN ON THE NATION'S
ECONOMIC AND ENERGY PROBLEMS

HON. DAVID F. EMERY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. EMERY. Mr. Speaker, last Saturday evening, in an address to the Caribou, Maine, Rotary Club, my distinguished colleague, Congressman WILLIAM S. COHEN, delivered an important and timely address on our Nation's economic and energy problems. I believe that Congressman COHEN's remarks represent a constructive contribution to our ongoing economic and energy dialog, and I am pleased to call to the attention of my colleagues Mr. COHEN's speech:

ADDRESSING OUR ECONOMIC-ENERGY PROBLEMS

(By WILLIAM S. COHEN)

In an address delivered in San Francisco in 1954, the late Walter Lipmann, one of the most astute political thinkers of modern times, observed:

"We are living in an age of disorder and upheaval. Though the United States has grown powerful and rich, we know in our hearts that we have become, at the same time, insecure and anxious. Our people enjoy an abundance of material things, such as no large community of men has ever known. But our people are not happy about their position or confident about their future. For we are not sure whether our responsibilities are not greater than our power and our wisdom."

The relevance of Lipmann's observation has not diminished with time. A pervasive sense of despair, helplessness and uncertainty permeates American society. So great is our distress that we are now calling into question the basic tenets upon which our society was founded and has prospered. We now question the ability of our traditional political, economic and social institutions to effectively address the problems plaguing the United States. And, perhaps most significantly, a growing body of Americans now question whether the much-discussed and sought "American dream" will, in the final

analysis, either elude us or turn out to be a cruel hoax.

It is not difficult to understand why the American people are disillusioned, confused, and unhappy over the present state of affairs. In the span of a decade, they have endured a disastrous experience in southeast Asia, a political system nearly torn asunder by gross personal abuses and excesses, and now an economy mired in a deepening recession. The strength and resiliency of the American people has always amazed me, but never more so than at the present.

We can take solace in the fact that, to a great extent, the horrors of Vietnam and Watergate are behind us. But solutions to our economic and energy problems remain largely undefined and unaddressed. I would like to use this occasion to offer a broad outline of the actions that I feel should be taken to redress our immediate economic and energy problems.

I have decided tonight to eliminate, as much as possible, the chronicle of statistics and time-worn clichés usually associated with an economic speech. I have done so largely because I believe that each of us is well-indoctrinated in this regard. Moreover, I feel that an endless recitation of grim economic indicators dulls the senses, and only adds to our numbing frustration.

I have felt for some time that one of the most formidable obstacles that must be surmounted if we are to effectively deal with our economic and energy problems is the Government's penchant for painless trade-offs, panaceas and undiluted optimism. How many times were the American people told that the energy crisis was over? How many denials were issued claiming that the economy was not headed for a recession? How many times were we told that the economy was merely "waffling sideways," whatever that means.

In pointing an accusatory finger at both the Congress and the executive branch, it is not my intention to minimize the complexity of these problems. As *Business Week* magazine recently observed, classical economics simply have no advice to give to the economic policy maker who finds himself fighting inflation and recession at the same time. Clearly, we find ourselves in an unprecedented and unenviable position. A colleague of mine put it well when he stated that:

"The American economy can be compared to a cancer victim who also suffers from heart disease. Each must be diagnosed and treated as a separate illness. But, at the same time, the attending physician must be careful not to prescribe remedies which, while curing one ailment, unduly aggravates the other."

Perhaps the most significant aspect of President Ford's state of the Union address was the clear acceptance of the fact that the time is at hand for making the hard economic and energy choices. And while certain parts of his program offer promise and will have my support, I do have serious reservations over some of his recommendations. Certainly the complexity of our economic and energy problems lends itself to honest differences of opinion on what should be done. The crux of the shared challenge confronting President Ford and the Congress is to reconcile their differences promptly, and get on with the task at hand, unencumbered by petty squabbling.

Our present economic difficulties stem from a myriad of causes, and no single policy will turn the economy around. A number of actions such as assisting the depressed housing industry, reform of the Federal regulatory structure, comprehensive tax reform, and vigorous enforcement of our anti-trust laws must supplement and reinforce the proposals

outlined in President Ford's state of the Union address.

Time does not permit me to examine these issues at length or to discuss with you the foreign policy implications of our economic and energy problems. In most cases, a separate speech would be required if the issue is to be covered thoroughly. Instead, I will focus on the major elements of Mr. Ford's State of the Union address.

President Ford has given us essentially a three-part program. He has proposed a series of tax cuts and rebates to restore purchasing power to the low- and middle-income consumer. He has asked for a moratorium on new spending programs in an effort to rein in deficits in the Federal budget. And he has called for increased import taxes to raise the price of oil and thereby discourage consumption of that precious commodity.

I welcome the President's tax cut proposals, although I do harbor serious doubts as to whether the proposed cut is large enough. As several prominent economists have pointed out, the average rebate will be less than \$200—a sum that will not match what the average family has lost to inflation in the past six months and will lose to inflation in the coming months. For the vast majority of families in Maine, there is simply no flexibility in their budgets for so-called "discretionary spending." They can barely make ends meet in attempting to provide for their basic needs such as food, fuel and housing. Unless the cut is large enough and directed primarily at low- and moderate-income families and individuals, it will clearly fail to achieve its intended purpose. It seems to me that we ought to be thinking in terms of a \$20 to \$25 billion cut which, as Walter Heller (former chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson) has pointed out, will still only represent approximately one and a half percent of the projected gross national product for 1975.

The proposed increase in the investment tax credit from 7% to 12% is also welcome, although again, serious doubts exist with respect to the usefulness of making the increase only a one-year change. In any event, an increase in the investment credit is necessary to encourage businesses to expand their productive and employment capacities and should give an immediate boost to employment in the durable goods industry. Plant expansion and modernization are major factors in increasing worker productivity, and to do this, industry needs the extra capital that such a credit would provide for financing capital improvements. Most importantly, increases in the tax credit and worker productivity would make it easier for industry to absorb increased wage demands without passing them along to the consumer in the form of higher prices.

I share the President's desire to reduce all unnecessary Government spending, although I doubt that an absolute moratorium on new spending programs is practicable and feasible. New programs may be needed to merely assist individuals to survive the hardships of a deepening recession. And, with regard to proposed curbs on social security cost of living increases and increases in food stamp costs, I believe that social equity demands that government not attempt to "economize" at the expense of those least able to absorb added financial burdening.

I think that it is highly unfortunate that the President has chosen to weaken the effect of his proposed tax cuts by ordering a stiff tariff on imported oil—a tax that would have a devastating effect on the economy of Maine and New England. A \$3 per barrel tax on oil imports will increase home heating oil costs by \$75 million per year and residual oil costs by \$442 million per year for New Eng-

land. Our electric and home heating bills would soar to levels higher than in any other section of the country, and unemployment levels and plant shutdowns would increase further in the region.

As the New England Council pointed out in a telegram to the President, the major problem with an import or oil tax is that heating and residual oils are already being conserved at high levels in New England and elsewhere. An increased tax on these oil products would do little to lower consumption but would mean higher prices to consumers or further closing of industrial plants.

It should be pointed out that heating oil conservation levels are approaching 20 percent in New England, with national consumption 5.4 percent below 1973 levels. Residual oil use also is down in the northeast, and down 7.5 percent nationally. The conservation figures for gasoline are much less impressive, down approximately 2.5 percent.

I am quite prepared to support tough policies that encourage energy conservation, but only if they are fair and even in their impact. A stiff tax on imported oil falls on both counts, and I will vigorously work with my colleagues from New England to block this regressive and inequitable approach to energy conservation.

As Hobart Rowan observed in a recent article in the Washington Post, "A new tax on crude oil is comparable to the now abandoned medical practice of attaching leeches to a bleeding patient." It would not only fail to increase energy prices to a level sufficient to measurably cut demand, but it will work its way through the economy increasing the cost of such basic commodities as heat, food, clothing, electricity, drugs, and needed manufactured products. The proposed tariff on imported oil is clearly inflationary, it will act as a drag on the industries we should be trying to stimulate, and it will drain away much of the new purchasing power that a tax cut is designed to provide.

In seeking ways to reduce our reliance on imported oil, the emphasis must be placed on gasoline, not home heating and industrial oils. And while I strongly support the President's goal of reducing oil imports by one million barrels-a-day by the end of 1975, I favor strengthening the existing mandatory allocation program and the use of import quotas to achieve this end. This approach would guarantee a fair share of petroleum and oil products to all states, and would be more equitable than imposing a stiff import tax. Under the mandatory allocation program, the states would have the primary responsibility to allocate oil and gasoline among various contending uses, including transportation, home heating, industry and recreation.

I would like to add that I was particularly pleased that the President recommended legislation to assist homeowners in making energy-saving improvements on their residences. The legislation that the President recommends closely parallels two measures that I originally introduced in the 93d Congress and reintroduced only a few days ago. One measure would provide homeowners and small businessmen with a 25% tax credit on the first \$1,500 of the cost of installing energy saving devices such as insulation, thermal pane windows and heat pumps. The other measure would establish a low interest loan program in the Department of Housing and Urban Development for larger energy saving expenditures. Both bills have the same goal: assisting the consumer to reduce residential energy consumption and expenditures by reducing waste.

Obviously, the most important action that we must take if we are to return our economy to a sound footing is to formulate a compre-

hensive, future-oriented energy policy. Each of us is now acutely aware of the critical link between energy, the economy and national security.

This task will not be easy. As the Wall Street Journal put it in a recent editorial:

"Policy makers have no good choice. Any choice will impose costs of one sort or another and costs that come at a most unfortunate time. Energy policy consists of minimizing the inevitable costs, reducing the dislocations, choosing the least bad alternative."

The Congress has, of course, already begun the task of fleshing out a national energy policy. We have greatly expanded funding for all federally related energy activities, created a new institutional structure to consolidate Federal energy efforts, approved legislation furthering research and development in both nuclear and non-nuclear energy sources, cleared the way for production of our Alaskan oil reserves, and put in place programs to deal with the short term ramifications of the energy crisis.

To be sure, much more remains to be done on both the conservation and supply fronts.

While energy conservation is certainly not an end in itself, this country can and must significantly reduce its energy growth rate. Perhaps the most alarming and shameful fact to emerge from our national energy dialog is that as a society, we waste at least one third of the total energy that we consume. Coincidentally, this figure approximates our degree of dependence on foreign oil imports—imports that have quadrupled in price in the past year or so, greatly exacerbating our inflationary and recessionary problems.

The principal finding of the two year study of national energy issues by the Energy Policy project sponsored by the Ford Foundation was that neither jobs, nor growth rates in income, nor household comforts will measurably suffer if the nation's energy growth rate is halved through more efficient use of energy. Paring the fat from our bloated and unbalanced energy budget is not the latest Federal fad. It is, as a former energy administrator observed, "a major national imperative."

The possibilities for achieving a significant reduction in energy consumption are almost endless, with the greatest opportunities lying in increasing the efficiency of the automobile and the heating and cooling of buildings. Fortunately, government and private industry have now begun to focus on the area of residential energy saving improvements. Unfortunately, the same degree of attention and urgency has not been given to the automobile. In a very real sense, we have literally driven ourselves to the brink of energy and economic disaster.

It need not, and in fact cannot be allowed to continue. A University of California study estimates that reducing the average automobile to 2,000 pounds and eliminating other inefficiencies could almost double the average gasoline mileage. According to research engineers at Arthur D. Little, Inc., passenger car fuel economy can be improved up to 43%, mostly through existing technology, despite stringent Federal safety, emission and noise standards. Detroit is simply going to have to build smaller, more efficient cars, and the American public is going to have to simply adjust to less power, less comfort and less status. And if it takes a steep horsepower tax to encourage this adjustment, then I am prepared to enthusiastically support it.

Our search to pare the fat from our energy budget need not stop with the automobile or the home. Significant energy savings are possible in industry through more efficient production processes and greater use of re-

cycled materials. Additionally, utility rate structures should be redesigned to reward individual efforts to reduce energy conservation in the household. If an individual insists on having a house full of energy consuming gadgets, I see no reason why his electrical bill should not reflect his extravagances. Why should the rest of us subsidize his excesses?

On the supply front, the United States is still an energy rich nation. The critical issue around choosing the supply options with the least environmental costs. The development of our remaining oil and gas reserves, greater production and use of our vast coal and oil shale resources, and more nuclear power plants all entail certain environmental risks. While we obviously must accept a degree of environmental degradation or leave these resources untapped, it is imperative that every step be taken to minimize the damage.

One of the illusions that has surfaced with the onset of the energy crisis concerns the relationship between our supply deficiency and the efforts to clean up the environment. Many have contended that concern for environmental values is incompatible with the development and use of our energy resources. The simple truth is that our efforts to clean up our fouled air and water can in no way be categorized as a primary cause of the energy crisis. It has aggravated the situation, but it has not caused it.

Environmentalists have warned for years that the gluttonous use of our energy resources would exact a stern price on our society if consumption were not moderated. We have now come to realize the foresight and wisdom of these predictions.

It seems to me that the crux of the energy challenge confronting us revolves around not only recognizing, but reconciling the multiple concerns of environmental quality, economic development and national security. A wholesale retreat from our commitment to clear air, clean water, and intelligent land use might improve our energy posture in the short run, but it would clearly have tragic results for our children and grandchildren. Current generations simply have no right to keep using up the options of future generations.

In looking down the road, our emphasis should be on developing alternative sources of energy such as solar, wind, geothermal, hydroelectric and tidal power. Wood also has significant potential as both a direct source of energy or as a chemical feedstock. And, the Federal Government must actively encourage and support the development of coal gasification and liquefaction processes, as well as see to it that the problems attendant to the use of nuclear energy are dealt with promptly and conclusively. In the final analysis, the cheapest and safest supply option available to us in the short term is simply energy conservation.

When one objectively examines the origins of America's energy problem, it is manifestly clear that in large part, it is a self induced ailment—one that has been nurtured by decades of improvident policies, tunnel vision, neglect, waste, and sheer indecision.

For far too long, we have operated under the illusion that our mineral resources were infinite.

For far too long, we have embraced the notion that it is every man's inalienable right to consume as much as he wants for as long as he wants.

For far too long, we have fought against the limits of nature, rather than learning to live comfortably within them.

And for far too long, we have failed to understand that "progress" and "growth" do not necessarily and automatically equate to an improvement in the quality of life.

As Anthony Lewis put it in a recent article in the *New York Times*:

"In a thousand ways, the Industrialized World now faces basic decisions about its future course of development. And the crucial choice is not between existence and beauty. It is between two views of existence: the short term and the long term.

Each of us would do well to weigh Lewis' comments carefully.

PRESIDENT FORD'S OIL TARIFF

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. DRINAN. Mr. Speaker, it has come to my attention that the Federal Energy Administration has just raised its estimate for what the President's total energy package will cost the American public. After its most recent calculations, the FEA is now projecting that this energy program could cost the average American family as much as \$345 in increased fuel bills. This figure raises by \$95 a year the previous estimate of \$250 per year for a family of four.

I am just amazed, Mr. Speaker, that the President could continue to announce his support for this potentially disastrous energy program. A recessionary economy and an upward spiraling inflation rate make the further imposition of new energy price increases on the American consumer almost ludicrous. Not only will these increased costs severely tax the average family, but they will virtually cancel out any remedial effect which the proposed tax cut will have on our economy.

The New England region will of course receive the major brunt of the President's energy proposals, especially where they relate to oil. In this regard, I would like to call to the attention of my colleagues a fine summary of the economic difficulties which the oil tariff would create for my State of Massachusetts. This summary was ably prepared by the Associated Industries of Massachusetts.

The summary follows:

FORD OIL TARIFF UNFAIR TO MASSACHUSETTS SUMMARY

In an effort to mount a national energy conservation program, the President plans to impose a \$3 per barrel tariff on imported oil—the first of three monthly \$1 increments to go into effect February 1. He has asked Congress to offset this action by imposing a tax on domestic oil, plus decontrolling the price of natural gas. The problem is not one of supply, assuming there won't be another embargo. There is plenty of oil if you pay the price, which, for imports, has quadrupled since the fall of 1973. The thrust of the President's program, as announced in his State of the Union Message, is to reduce the flow of American dollars abroad. This is an important national goal, but the approach is wrong.

AIM believes the tariff would spell economic disaster for Massachusetts and, indeed, all New England:

1. We depend more on oil than other regions. New England Fuel Institute states that 86 percent of the six-state region's total energy needs are supplied by oil. Na-

tionally, the figure is 45 percent. On that basis alone, we would get hit twice as hard. However, we not only use more, we import more. Some 90 percent of all our residual oil for electric power and industrial heating and processing is imported, along with 25 percent of our home heating oil.

2. We have done a better job than the rest of the nation in conserving oil. Massachusetts industry already has cut consumption an average of 20 percent. Some companies have reached a 35 percent conservation level. Homeowners have done nearly as well. Nationally, fuel oil conservation has been less than 6 percent. The kind of conservation we have achieved, obviously, is a one-shot deal. You can only cut consumption so much and still stay in business. So, the plan won't achieve its goal, only make us pay an inflationary surcharge on already inflated prices.

3. Other sections of the country will not share or make the same sacrifices. Regions served by massive, often government-financed, hydroelectric systems, i.e., TVA, Columbia River, or those relying on coal or natural gas will make no comparable sacrifice. New England should not be asked to underwrite national policy to this extent.

4. The tariff idea seems doomed to fail from the outset. Most informed observers agree that the problem is gasoline, not oil, and that it is here that there has not been adequate conservation. As distasteful as it may be, politically and to us as individuals, such observers believe that a substantial tax increase on gasoline (25 cents or more per gallon) is the only way to discourage consumption short of the even more distasteful notion of rationing. To be equitable, such a plan would have to incorporate some system of prompt rebates to essential users—such as salesmen and commuting workers with no access to public transportation—and to low-income motorists: If the country must act to conserve fuel, beyond the voluntary measures being taken, a gasoline tax at least would treat every region of the country fairly... would zero-in on a fuel where added savings are possible and more likely... and, overall, would be less inflationary.

5. The President has authority to impose the tariff by executive order (a claim which may be challenged in the courts) but since an "equalizing" domestic tax will require Congressional approval, the time-lag certain to develop between these two actions would make the impact on importing regions even more severe and the economic imbalance even more outrageous. The energy-cost differential for New England is already great. This could make it near fatal.

6. A new rash of plant shutdowns and layoffs could result from the President's apparent assumption that New England industry can either pass along such higher costs to the consumer or absorb them. Massachusetts already has the second highest unemployment rate in the nation. Its industry already faces energy-related competitive problems.

7. Finally—the whole damned thing is needlessly inflationary! It won't create a single new job and, according to a leading economist, the tariff (coupled with domestic excises and price increases) could send a \$100 billion "ripple" through our entire economy.

ADDITIONALLY

The President promises steps to insure that no region of the country will suffer unduly. We have no indication of how he would do this, in view of the singular dependence of this area on oil imports. His statements have been somewhat ambiguous about the scope of the tariff—at times speaking of crude oil and at others speaking of both crude and petroleum products. We assume he means all. Either would be bad... it is a question of degree. There have been

hints that this plan was hatched in the office of the Secretary of State—a grand strategy, if you will, for dealing with the OPEC cartel, evidence to show our allies we mean business, etc. That may help some of us comprehend an otherwise incredible proposal, but it won't help us pay the higher fuel and electric bills. It won't put people to work, stop double-digit inflation, or even—most suspect—cut down imports appreciably. For New England industry and consumers, however, it would totally nullify the benefits of any subsequent tax cut. And in that regard, we should be very skeptical of talk that these added costs will be somehow "returned" to hard-hit regions.

Most Americans applaud the broad goals of the President's economic and energy programs. All of us can admire his personal courage and candor. AIM would commend his recognition of the real seriousness of the energy crisis... his determination to do something about it. He has asked everyone to "sacrifice a little" for this goal. But we must reply that Massachusetts already has made sacrifices not shared nationally—and at a considerable cost.

DO WE REALLY NEED GAS RATIONING NOW?

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. PETTIS. Mr. Speaker, of late there has been considerable discussion about instituting a system of gasoline rationing. Though I do not always agree with the Washington Post, recently it carried an editorial that points out the real problems with the gas rationing idea. I am inserting the editorial for those who might have missed it:

[From the Washington Post, Jan. 26, 1975]

HOW TO RATION GASOLINE

Let us suppose, for a moment, that you are the person to whom President Ford assigns the job of designing a system to ration gasoline. The President thinks that rationing is a terrible idea and wants to cut consumption by raising prices and taxes instead. But a great many well-intentioned senators and congressmen think that rationing is much fairer. We are now going to suppose that they win the coming fight, a rationing law is enacted, and you are appointed to set up the operation. The basic program is clear. There remain only a few minor issues of policy that a sensible person like yourself should have no difficulty resolving quickly and—to repeat the key word—fairly.

The first question is to whom to give ration books, and your first inclination is to give them to every licensed driver. That brings you to the family in which both parents and all three teen-aged children have licenses. If they have five ration books, the kids can continue to drive to school. You think that they ought to take the school bus, and you revoke the kids' coupons. But then you learn that they all have part-time jobs—one of them plays the xylophone in a rock band—and they will be unemployed if they can't drive. You get a call from the White House telling you not to contribute to unemployment, which is rising. You give in, and return the kids' ration books. That gives the family five times as much gas as the widow across the street whose three children are all under 16.

Continuing the crusade for fairness, you take up the case of Family A, whose harassed father has to commute 30 miles to work every day, and Family B next door, whose father runs a mail order business out of his basement. Family B goes to the beach every weekend—very inexpensively because, as the congressmen made clear, the point of rationing is to avoid raising prices. Score another point for fairness and turn to the case of two suburban communities, a mile apart, one of which has bus service to and from central city and the other of which does not. Reasonably enough, you give less gas to people in the community with buses—until you discover that none of them works in the central city. They all seem to work in other suburbs, most of which have no public transportation. Your response, obviously, is to make everyone in the United States fill out a form showing where he works. Then you hire a computer firm to identify those who can get to their jobs by public transit in less than 90 minutes with no more than three transfers; they will get fewer coupons. There are certain difficulties in enforcing these rules, as you concede to several congressional committees, but you expect to be able to handle them with the expanded appropriations that you have requested to hire more federal gas investigators.

Now that you are beginning to get the hang of the thing, you will want to proceed to the case of the salesman who flies to an airport and rents a car. If you issue gas to the rent-a-car companies, the salesman might be tempted to use one of their cars to take his family on a vacation. But the salesman's personal coupons won't cover company trips. Now you have to decide how much gasoline to give to companies, and which business trips are essential. You might turn that over to the staff that you set up to decide which delivery services are essential and how to prevent delivery trucks from being used for personal business.

By the way, you have to consider the rural poor—for example, the laborer who lives far out in the country. Some weeks he's employed far from home and commutes hundreds of miles. Some weeks he finds work nearby. Some weeks he's unemployed, particularly when the weather's bad. You post a prize for the formula to cover that one.

You are beginning to discover the great truth that simple rules are never fair, and the fairer the system gets the more complicated it has to become. Even in World War II, when there were only one-third as many cars and the national dependence on them was far less pronounced, it was necessary to set up boards of citizens in every community to rule on a flood of special requests, hardships, grievances and challenges. It is a method that requires, unfortunately, a massive invasion of personal privacy. Americans accepted it then as a temporary wartime expedient. But the present emergency is not temporary.

A year ago, when the Nixon administration was considering rationing, the planners suggested simply giving everyone the same number of coupons and letting people buy and sell them legally on a "white market," as they called it. But in a white market the laborer with the long trip to work would have to bid against the family that wants to drive its station wagon to Yosemite for its vacation. Under President Ford's price scheme, at least the country would know roughly what the increased price of fuel would be. In a white market, no one could say how high the bidding might go, or how widely it might fluctuate from one season to another.

Congress, and specifically the Democratic leadership, is behaving rather badly. Its committees have been exploring the economics and technology of energy with considerable

skill for more than two years, and they understand the choices as well as the administration does. The Democratic leadership's cries for further delay now are hardly more than a plea merely to postpone unpleasant but urgent decisions. A year ago, when President Nixon asked for rationing authority, Congress said that rationing was unpopular; the law never passed. Now that President Ford proposes the other alternative, higher prices, congressmen cite polls to show that people would prefer rationing.

In the present state of general indecision, the most widely popular position is probably the one represented by Gov. Meldrim Thomson of New Hampshire. Gov. Thomson opposes both rationing and higher prices. He would prefer, evidently, simply returning to the halcyon days of 1972 before the energy squeeze took hold of us. It is a pleasant idea. But it is not, unfortunately, one of the real choices—not even for New Hampshire.

SALUTE TO THE "SAVE A LIVING THING" PROJECT

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. STEELMAN. Mr. Speaker, I wish to commend the tremendously successful campaign, "Save a Living Thing," initiated by the Southland Corp. of Dallas, Tex.

In September of 1974, Southland, along with the National Wildlife Federation, undertook the significant project of saving our national symbol, the American bald eagle, from extinction. Their goal was to raise \$200,000 to acquire a tract of land along the Missouri River to be used as a refuge for this endangered species of bird.

Because of their sincere interest in conservation and wildlife habitat, 4 months later the Southland Corp., and the National Wildlife Federation have presented to the American people the South Dakota bald eagle sanctuary.

Further information concerning this worthwhile project is included in the statement released by the Department of Interior.

LAND DONATION TO BECOME NATIONAL AMERICAN BALD EAGLE SANCTUARY

Control over more than 1,000 acres of land in South Dakota and Nebraska that will serve as a sanctuary for the American bald eagle was turned over to Interior's Under Secretary, John C. Whitaker, tonight (December 19) in a ceremony at the National Wildlife Federation headquarters in Washington, D.C.

The land was donated jointly by the National Wildlife Federation and the 7-Eleven Food Stores Division of the Southland Corporation of Dallas, Texas, as the climax of a special fund raising campaign.

Under Secretary Whitaker, in accepting the deed, announced that the land will be used to establish a new national wildlife refuge to be administered by the U.S. Fish and Wildlife Service, and that the refuge will be named for the late Senator Karl E. Mundt of South Dakota who strongly supported the Endangered Species Act of 1966.

The Under Secretary also presented Thomas L. Kimball, Executive Vice President of the National Wildlife Federation, with a

letter of appreciation from President Ford. The President wrote:

"This generous gift is an outstanding demonstration of cooperative volunteer action by all those involved. It is entirely fitting that the bald eagle, our national symbol, should be the immediate beneficiary of your gift, especially in view of its current survival problems."

"On behalf of the American people, I thank all of you who have worked to make this donation. I hope that your action will serve as a model for others to follow."

Secretary of the Interior Rogers C. B. Morton in his statement said: "I am pleased to know that once again private industry and conservation-minded citizens, acting through the National Wildlife Federation, have together made a lasting contribution to the Nation. It is fitting that this sanctuary, which serves as a winter home for nearly 15 percent of the bald eagles found in the lower 48 States, be named after the late Senator Karl E. Mundt of South Dakota. Senator Mundt's keen awareness of the need to protect our dwindling wildlife populations helped inspire a historic piece of legislation in the first Endangered Species Act, and his work in that area will long be remembered."

The conveyance includes title to 818 acres purchased through the National Wildlife Federation, plus a conservation easement of about 300 acres. About 19 acres of the refuge area is in Nebraska; all of the remaining acreage is in South Dakota. The refuge's Missouri River bottomland, with its tall cottonwood trees, is a winter sanctuary for as many as 300 bald eagles each year. Other local wildlife includes white-tailed deer, bobwhite quail, wild turkey, fox, coyote, opossum, raccoon, and sometimes a bobcat.

Although it is not officially an "endangered species," the northern bald eagle population has been greatly reduced in recent years. Pesticide pollution and habitat destruction have plagued eagles, primarily in the lower 48 States, and estimates now show about 1,000 nesting pairs. "It is hoped that by providing such a sanctuary as the Karl E. Mundt NWR—a protected resting area for the eagles—that their population will no longer decline at such a rapid pace," said Lynn A. Greenwalt, Director of the Fish and Wildlife Service.

INTOLERABLE

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. BAFALIS. Mr. Speaker, my mail reflects, I am sure, pretty much what the mail to all Members shows—a great concern for the economy of our Nation. As evidence of that concern, I would like to share with my colleagues a letter to the editor of the Naples, Fla., Daily News by the president of a group known as Citizen Inflation Fighters, Inc. There is a great deal of food for thought in this letter and I commend it to my colleagues as the thinking of many of our constituents:

INTOLERABLE

EDITOR, Naples Daily News:

A prolonged high level of unemployment is intolerable. The problem must be solved. But the manner in which it is solved will

determine, largely, whether we restore a sound economy—free of the inflationary force of deficit spending—or whether we create more inflation in solving unemployment.

If government continues to spend beyond its income we shall have more inflation as a result. Budgets must be balanced at every level of government. The question is how to solve unemployment without more and greater deficit spending. The only solution is to give productive public works projects top priority and balance the budget by reducing or eliminating, as far as necessary, expenditures of lower priority. We simply must "bite the budget bullet!"

These public works projects to provide job opportunities for the otherwise unemployed should be contracted to private industry on a competitive basis. Quality and high productive efficiency should be prime objectives, stimulated by performance incentives for both employees and the company.

Simultaneously with the availability of such work opportunities, welfare should be dispensed only to those who are physically unable to work. All others should be expected to earn their livelihood, which is both just and economically sound.

Let us not forget that Inflation Is the Cause of Our Recession and the resulting unemployment. Both inflation and recession can and must be stopped by this and other basic corrective actions.

ROBERT F. WEINIG.

NAPLES.

CUBAN APOSTLES OF FREEDOM

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. PEPPER. Mr. Speaker, today is the 122th anniversary of the birth of the great Cuban patriot, poet, and apostle of freedom, Jose Marti.

Born on January 28, 1853, Jose Marti in 1898 turned the course of Caribbean history by proclaiming the ideological basis of a free Cuba. His inspiration led to Cuba's independence from Spain and his inspiring words still ring out the call of freedom for a Cuba newly enslaved to communism.

In commemorating the birth of Jose Marti, I wish to introduce once again my joint resolution commending the Cuban "Declaration of Freedom," adopted January 23, 1966, by 15,000 Cubans in exile at a meeting in Key West, Fla. This resolution appropriately was drafted at the San Carlos Club from which Marti proclaimed his words of freedom.

The enlightened ideas for which Marti gave his life have been, and continue to be, summarily rejected by the Castro regime. There has been no real change in the repressive character of that brutal Communist regime, no change in the fostering of subversive activities in the hemisphere, and no change in the military alliance with the Soviet Union which has brought Soviet power into the Caribbean with bases and troops on the island of Cuba.

What Marti said of Cuba in 1898 is equally true today:

Melodies are heard; choruses resound, but it is clear that this is not the symphony of peace.

There can be no true peace in Cuba or security for our hemisphere until the spirit of Marti and of the Key West "Declaration of Freedom" are once again the guiding light of liberty for the Cuban people.

I include the text of my resolution, House Joint Resolution 152, in the RECORD at this point:

H.J. RES. 234

Whereas on January 23, 1966, a "Declaration of Freedom" was adopted by one thousand five hundred Cubans in exile meeting in Key West, Florida; and

Whereas this declaration was written at the San Carlos Club from which the great Cuban patriot, Jose Marti in 1898, turned the course of history by proclaiming the ideological basis of a free Cuba; and

Whereas Cuba once again has fallen victim to a totalitarian regime as embodied by Castro communism; and

Whereas the "Declaration of Freedom" reads as follows:

"In the city of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the martyr island, do say:

"That on January 1, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the nineteenth century, was resumed.

"That those responsible for this high treason to our fatherland and to our people are just a score of traitors who, usurping the government of the country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our freedom and our dignity, also betraying the American hemisphere.

"That as a consequence of this high treason, those who are usurping the power in Cuba (as they were never elected by the people), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being of the most elementary human rights.

"That in their hunger for power, these traitors, following the pattern of totalitarian regimes are trying, within Cuba, to separate the family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

"That the rule of the law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are acting under orders from their masters, the Sino-Soviet imperialists.

"In view of the foregoing, we declare:

"First. That the actual Cuban regime is guilty of high treason to our fatherland and to the ideals of the freedom revolution which was started on October 10, 1868.

"Second. That the score of traitors who have committed treason against our fatherhood, in case they survive the downfall of their regime, will have to respond, even with their lives before the ordinary courts of justice of Cuba.

"Third. That as the noble Cuban people will not ever surrender, because that nation was not born to be slave, we, the Cuban people, hereby make the present declaration of freedom.

"We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

"The fundamentals of this resolution for freedom are:

"First. God Almighty, above all things, in whom we believe as the essence of life.

"Second. The fatherland, with all of its laws, traditions, customs, and history as a spiritual value, only surpassed by the concept of God.

"Third. The family, as the cornerstone of the human society.

"Fourth. Human rights, for each and every citizen, regardless of race or creed.

"Fifth. The law as the foundation for the proper development of the human society.

"Sixth. Democratic government, with its three independent branches: Legislative, executive, and judicial.

"Seventh. Representative democracy, through the exercise of universal suffrage, periodically, free, and secretive, as the expression of popular sovereignty.

"Eighth. Freedom of worship, freedom of teaching, freedom of the press and free enterprise.

"Ninth. Private property and ownership, as the basic expression of liberty.

"Tenth. The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping mind the legitimate interests of both labor and capital.

"Eleventh. The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of communism and any other form of totalitarian manifestation.

"Signed and sealed in Key West, Fla., on the 23d day of January, 1966."

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the House of Representatives that this inspiring declaration should be patriotically considered by all Cubans in exile and by all who wish to end the tyranny of Castroism and communism in Cuba and that the "Declaration of Freedom" should serve to unite those pledged to restoring Cuban liberty and independence, and that it should be the objective of the United States to commend and encourage recognition and respect for the declaration.

SST BILL

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. WOLFF. Mr. Speaker, I rise today to express a mixture of wonder and concern over plans announced by Great Britain and France to seek a series of 50 experimental flights of their Concorde supersonic transport airplane into and out of John F. Kennedy Airport near New York City, perhaps as early as May of this year.

I am concerned because despite all of the medical and psychological knowledge we have gained in recent years in our investigations into the adverse effects of noise pollution, we must still spend time evaluating requests on an aircraft which even its most optimistic backers admit will make at least as much noise—and probably a good deal more—than the presently unacceptable levels of standard jet passenger aircraft.

While most present aircraft can be modified by retrofitting to help our nearly shattered eardrums, Mr. Speaker,

I would point out that no one claims that the SST can be retrofitted, or its noise modified in any way.

Towns, counties, cities, and States across the Nation are today protected by antinnoise laws, thanks to the lead provided by Congress in passing the Noise Control Act of 1972.

Unfortunately, the area of aircraft noise is still a nebulous one for many localities to attempt to regulate, for they obviously have difficulty apprehending noisy aircraft which do not have the courtesy to land within their jurisdictions.

Consequently, we in the Congress must once again step into the area of nationwide regulation, and I today offer legislation which would prohibit any commercial flights by any SST into or over the United States pending certain findings by the Administrator of the Environmental Protection Agency, and the Secretary of Transportation.

Specifically, Mr. Speaker, we must be assured beyond any doubt that the SST will have no detrimental physical or psychological effects on our citizens on the ground, and that the SST will truly have no adverse environmental effects.

My legislation would require the Secretary of Transportation to report in writing and to the affirmative to Congress before any SST flight into the United States would be possible.

I note that within the past week or so a DOT report has allayed fears that the SST might disrupt the ozone layer of our atmosphere, which is crucial to protecting all of the earth's peoples from skin cancer and excessively high temperatures. This is some comfort, at least, should other nations build and maintain fleets of SST's.

However, Mr. Speaker, a full environmental impact report—one which will include the physical and psychological concerns covered in my bill—is presently being studied by the Secretary of Transportation's experts for final recommendations to the Federal Aviation Administration.

This report, which is not expected to be released for at least a month must receive detailed scrutiny before any consideration of possible SST flights into this country should be given even a preliminary hearing.

To discuss the noise pollution problem in a little more depth for a moment, Mr. Speaker, I would suggest that it really makes no difference if the final reports say the SST by itself is medically and psychologically acceptable.

The fact is that we in America today already have too much noise for our own good. We cannot judge such things as aircraft, or motorbikes, or power saws, or jackhammers, or trucks—or even rock concerts—simply by themselves.

It all adds up, Mr. Speaker, and in this country today it all adds up to too much noise. Some cynic might say there is already too much noise here in the Nation's Capital, but I can assure the House that we will have heard nothing compared with the cries of outrage which will descend upon our ears if and when

entire neighborhoods trapped under the Kennedy Airport holding patterns are subjected to the thunder of an SST circling overhead.

For despite all the hoopla about supersonic speeds and miraculous travel times, an SST would be just another airplane when it gets near Kennedy, and, just like any other airplane, it will have to wait its turn to land.

It is precisely such concerns as these which have reportedly promoted authorities from Tokyo, to Sydney, Australia—and even Africa—to discourage plans for flights by the SST.

Needless to say, plans to fly the Pacific routes means that before long we will be hearing from our friends in the Los Angeles area on this topic.

At the beginning of my remarks, Mr. Speaker, I said that I viewed with some wonder the request by Great Britain and France that their Concorde SST be allowed to land at Kennedy Airport.

To this wonder I should also add sympathy for our friends and allies who have been stuck with one of the great white elephants of all time, and are hoping that we will somehow help them bail themselves out.

When the Concorde was first proposed for purchase by the world's airlines, a major American carrier investigated and discovered to its horror that to merely break even, it would have to charge 150 percent of its present first-class rates to Europe, and that each flight would have to be at least 60 percent filled.

To compound the uneconomic aspects of the present proposition, the Concorde will hold considerably less than half of the 400 passengers now being carried by the giant subsonic jet transports of today.

And, should any of us really need to get to Paris 2 hours ahead of everyone else, we would have to endure up to 1 hour acceleration before reaching altitudes suitable for supersonic speeds—all the while strapped into our seats at a 45-degree angle.

Mr. Speaker, while I served on the Aeronautics and Space Committee as a freshman, and you well know my affinity for aircraft, I can assure you that I share with most of the SST's potential customers a reluctance to emulate an astronaut.

Far more serious, of course, is the fuel which would be burned up by these uncomfortable and uneconomic aircraft. As presently designed, the Concorde would use nearly twice as much fuel per hour as a conventional subsonic jet. Since it can carry only half the passenger load, I can see no excuse for the United States involving herself in any way—even if simply by the tacit encouragement represented by allowing a series of test flights—of such a conspicuously wasteful consumption of fuel.

What today's rising fuel prices will do to the estimated costs—and hence the ticket prices—of SST operations is anyone's guess.

Mr. Speaker, a few years ago many of us in these Halls listened with great attention to the debate over America's own SST. We decided at that time that such an aircraft was environmentally and eco-

nomically unwarranted, and I have received no evidence since then to prompt me to change my mind.

While some might say that it is the business of the British or the French what they wish to build, I must counter that when our friends propose to build and fly a machine which threatens to shatter the peace and even the health of millions of our own citizens—not to mention the world—then we must take strong action.

Mr. Speaker, the time to close the door on the SST once and for all is now upon us, and I urge adoption of my bill. I am confident that when all the reports are in, you will agree with me that the Concorde, or any other supersonic transport, is simply not in the best interests of any one involved.

CONFERENCE ON EDUCATION IN NUTRITION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. CARTER. Mr. Speaker, I offer for the consideration of my colleagues an article by Orrea F. Pye which appeared in the *Journal of Nutrition Education* for October 1974.

Health education will certainly be among the many basic issues to confront Congress within the next 2 years. I believe the author, acting chairman of the nutrition program at Teachers College, Columbia University, cites a number of concepts and recommendations which should receive consideration in any future governmental program in the area of nutrition. The article consists of a report of the activities of the Conference on Education and Nutrition commemorating the 65th anniversary of the founding of the nutrition program at Teachers College.

The article follows:

CONFERENCE ON EDUCATION IN NUTRITION AT COLUMBIA

(By Orrea F. Pye)

A "Conference on Education and Nutrition—Looking Forward from the Past," was held in February 1974 at Teachers College, Columbia University, to commemorate the 65th anniversary of the founding of the Nutrition Program there.

The two-day program began with a historical perspective as speakers presented an overview of the nutrition heritage at Columbia's Teachers College. Dr. Orrea F. Pye, Acting Chairman of the Nutrition Program, introduced the historical sessions by telling about the Nutrition Program in general. Three distinguished professors-emeriti of Columbia University gave reminiscences of earlier teachers and/or colleagues, all famous pioneers in the field of nutrition. Those speakers and the subjects of their reminiscences were: Dr. Clara Mae Taylor—Mary Swartz Rose, 1874–1941; Dr. Charles Glen King—Henry Clapp Sherman, 1875–1955; and Dr. W. Henry Sebrell, Jr.—Robert R. Williams, 1895–1965.

The keynote address, "The Changing Focus in Nutrition," given by Dr. Grace Goldsmith,

formerly Dean of the School of Public Health and Tropical Medicine, Tulane University, included a skillful summary review of the history of nutrition.

Dr. Bertlyn Bosley, a former research associate of Mary Swartz Rose at Teachers College, moderated a panel discussion of how to make nutrition education effective. Other speakers included Drs. Richard Wolf and Elizabeth Hagen, specialists in educational evaluation at Teachers College.

The first day of the conference closed with Dr. Myron Winick, Director of Columbia's Institute of Human Nutrition, speaking on "Nutrition and Mental Development."

Dr. William Darby, President of The Nutrition Foundation, Inc., a cosponsor of the conference, introduced the second day's topic, "Directions in Education in Nutrition, 1974 and Beyond." Drs. A. Harry Passow and Gary Griffin, specialists in curriculum development at Teachers College, discussed today's educational challenges and responsibilities in general and strategies for educational development and change.

A panel discussion of "Communication—An Essential Factor in Nutrition Education," moderated by Dr. Kristen McNutt, Research Associate, The Nutrition Foundation, Inc., served as a springboard to the group discussions by participants which concluded the conference.

The Concepts (see below) were developed by the organizers of the conference and the Recommendations stemmed from presentations and discussions at the Conference. Both are a part of the Proceedings which have been published.

CONCEPTS

The term "nutrition education" has different meanings for different people depending upon their knowledge of the science of nutrition, their particular knowledge and skills in the area of education, and their educational objectives. In turn, these are influenced by the environment in which the art and skill are employed. It can be said truly that there is at present no universally accepted definition of nutrition education.

Therefore, the organizers of the conference deemed it advisable to present certain concepts relative to nutrition education which would serve as focal points for discussion recognizing that the broad and varied background and experience of the participants would influence their reactions. It is believed that the following concepts are fundamental to the development of sound policies affecting the future nutritional health of all people in the United States and throughout the world.

1. There is a difference between the word "education" and the word "information." The dissemination of information does not necessarily result in the education of the recipient of the information.

2. "Nutrition education" is the development of an understanding capable of producing intelligent decisions and actions. Education is not merely the acquisition of a fund of technical knowledge. Education in nutrition is the meaningful interpretation of that knowledge.

3. An "educator in nutrition" is one prepared by training, aptitude, and experience to assume responsibility for planning, directing, and/or the conduct of educational programs designed to increase the knowledge and understanding in nutrition of those involved in such programs.

4. An "educator in nutrition" must have a strong foundation in the science of nutrition, natural sciences, behavioral sciences, and education.

5. A sound educational program in nutrition is based on clearly defined and recognizable needs and the resources available to meet those needs.

6. Every segment of the population should receive basic education in sound nutrition practices.

7. Programs in nutrition education should take into consideration the age, background of knowledge, interest, and experience of those to be educated; the stage of development of the social and economic environment; and the probable acceptance of those nutrition practices to be established which are consistent with available food resources.

8. The "status" value of foods promoted by educational programs should be in relation to their nutritional contribution to biological needs.

9. The extent to which any food and nutrition policy will be implemented will depend on the manner in which the educational programs are planned and carried out.

10. The effectiveness of any program of education in nutrition designed to meet defined needs can be measured by the extent to which the teaching is applied and the degree to which the desired practices are established.

RECOMMENDATIONS

Recommendations emanating from conference speakers and discussants are presented below.

1. Education in nutrition is the right of every human being.

2. The formulation of a national policy in relation to nutrition education is needed. It should stress coordination of all available resources. One means of implementing such a policy would be through area councils in different regions.

3. Universal nutrition literacy should be a priority of a national policy related to nutrition education. The aim of national nutrition literacy should be to enable citizens to utilize knowledge of food and nutrition necessary to promotion and maintenance of health adjusting to the realities of changing food situations. Curricula should be developed within schools, beginning in the elementary grades, as a means of developing sound nutritional behavior in later life. The principle of conservation should be emphasized in all nutrition education efforts because population pressures and shortages in food supply will necessitate sharing of resources.

4. Special university centers or institutes for education in nutrition should be established where dialogue and collaboration between related and essential disciplines are practical. Such university centers could take responsibility for preparation of broadly based interdisciplinary specialists in nutrition education and in the continuing education of "nutrition educators" of various kinds. These centers could help to coordinate, integrate, and unify efforts in nutrition education. They could conduct the research in methodology of nutrition education which is so urgently needed. Innovative approaches adaptable to the needs and characteristics of different learner groups could be initiated. Well-designed, experimental approaches could be tested and evaluated on a continuing basis.

5. There should be an increased number of specialists prepared in education in nutrition to meet growing demands from educational institutions, organizations, service agencies, and industry. These specialists should have a broad vision of population growth and needs and the possible ways of meeting these needs, based upon scientific nutrition concepts and knowledge of human behavior. Their educational understandings, techniques, and approaches, along with evaluative skills, should provide them with the tools required to achieve clearly defined objectives.

6. Those persons responsible for preparing specialists in nutrition education must keep

in mind that different aptitudes and background experiences will influence the type of training required. Different kinds of teachers are needed and must be prepared at different levels to reach the various age and population groups.

7. Teachers College should appoint a task force following this conference to determine possible ways of implementing conclusions and recommendations of the Conference.

SWAMP STOMPER

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GINN. Mr. Speaker, while recently visiting in the Okefenokee Swamp which is partially located within the First District of Georgia, I had the privilege of meeting Steve Davis, a 15-year-old swamp stomper. I was very impressed with his love of the swamp and knowledge of the area. I was pleased to discover that an article about Steve had recently been published in the Atlanta Journal and Constitution and I wish to take this opportunity to share the article with my colleagues:

[From the Atlanta Journal and Constitution magazine, Dec. 1, 1974]

YOUNG STEVE DAVIS IS A SWAMP STOMPER
(By Robert Coram)

Ralph Davis, one of the last old-time swamp stompers living on the edge of the Okefenokee Swamp, was being bothered by a pesky bear a few years ago. The bear kept nosing around the barn at night and Davis knew it was only a matter of time before the bear began killing hogs and cows.

So, in the direct manner of the swamper, Ralph Davis decided to do something. He took his young son Steve and a few dogs, and went hunting for said bear with the intent of doing serious bodily harm to him.

Davis was in the middle of a pine stand about 100 yards away from his son when the bear got up in front of him. One shot from his 12-gauge shotgun hit the bear in the shoulder and angered him in no small degree. The bear wheeled with the shock, saw young Steve Davis and charged. Undergrowth prevented the elder Davis from shooting again.

Steve raised his 20-gauge shotgun—not even a decent bird gun and little more than a popgun to an enraged 350-pound bear—and fired. The first two shots dropped the bear but each time he bounced back angrier than ever. Still charging.

Steve Davis never flinched. He stood there with the little ole 20-gauge steady as could be and fired the third and final shot in his gun. It caught the bear squarely in the throat from 20 feet away and dropped him, this time for good.

Ralph Davis, who has a rather respectable girth, parted the palmetto bushes a few minutes later, took in the situation—his only child leaning on his gun with the bear a few steps away—let loose a long slow breath of relief, and in the understated way swamper talk, said, "Well, son, looks like you got your first bear."

"Guess we'll have bear steaks tonight," Steve replied calmly. He was 10 years old at the time.

Years later, when telling of the incident under the proud prodding of his father, Steve showed no inclination to embellish events. He tells it calmly.

When asked what was going through his head after the second shot and the bear was still charging, he matter-of-factly said, "Well, I knew it was my last shot. So I had to make it count."

Today, a ripe old high school sophomore at Charlton County High School in Folkston, Ga., Steve Davis still is demonstrating those qualities of grace under pressure, love of the outdoors, and a straightforward way of looking at and solving problems that long have characterized the people of the Okefenokee.

Steve Davis is, in a very real sense, a state treasure. There should be some way to bronze this kid like a pair of prized baby shoes so people years from now will see the caliber of people this state can produce.

He is a child of the Okefenokee. He doesn't even remember the first time he went into the swamp, it was at such an early age. "There is no other person Steve's age who knows as much as he does about the swamp," said John Eadie, refuge manager of the Okefenokee National Wildlife Refuge.

Steve's knowledge extends beyond being able to find his way through the innermost reaches of the swamp; beyond the ability to name trees, animals and birds along the way; beyond being able to go into the swamp anytime he chose and come out with a mess of trophy-sized fish. He has, most of all, that ineffable love for the swamp, the feeling for what the swamp is all about, that distinguishes the true swamper from those who think they know the swamp.

"Some people come to the swamp to look. But Steve lives there. He cares for the swamp. That in itself is unique," John Eadie said.

During the summer and on weekends throughout the year, Steve is a guide at the Suwannee Canal Recreation Area near Folkston. "Steve is the youngest guide we ever hired. But none are so qualified as he. He is a dependable young man," Eadie said.

He got the job by riding with friends who were guides and learning the spiel they give tourists. Nobody had to teach him the swamp. He taught them. Steve has been to places in the swamp no federal man ever has seen. He can lose any one of the federal men in an hour.

Refuge Manager John Eadie knows the swamp as well as any other federal man. He is an ardent fisherman who turned green everytime he saw Steve poling out of the swamp with warmouth perch weighing upwards of 1½ pounds. Like everybody else, Eadie could catch warmouth weighing maybe a pound—not bad for a warmouth. But here comes Steve Davis, just as regular as the sun coming up, with warmouth half again as big as anything he could find.

Now, the location of a "hole" where the fish hang out is a secret as closely guarded around Folkston as is the combination to the vault at Ft. Knox. But Eadie prevailed on Steve to show him the hole where the big warmouth lived.

Eadie came out of the swamp with a string of 1½-pound warmouth as long as your arm and a grin almost that long. Everybody at the landing wanted to know where he'd been fishing. "Funny thing," he said, "Steve put a sack over my head soon as we got in the swamp and I don't remember where we went."

Many tourists, especially from the North, go into the Okefenokee in fear and trembling. They have seen the host of bad movies about the swamp and expect a place where alligators attack boats, where snakes drop out of trees on people passing below, where quicksand will snarf up the unwary, where poisonous plants abound—a place, in short, of terror and evil.

"There's nothing in there that will bother you," Steve says. "Bears won't bother you

if you don't bother them. Stay in the boat and gators won't bother you."

Then there's the hyped tourist coming back north after a few days in Disney World. He has a few dollars left and wants to get in a little of the wilderness bit before returning to Pittsburgh or wherever. So he stops at the Suwannee Canal Recreation Area and sees, lolling on the bank, a couple of 10-foot alligators. Signs all around read, "Don't Feed the Alligators." But the tourist thinks that's for show.

"Hey, fellow. That a real alligator or do you wind him up?" asks the Disney-sedated visitor.

Steve assures him it is real.

"Then why doesn't it move around a little?" "Because he's sunning," Steve says.

"Aw, you're putting me on. Go over there and poke at him. Make him move," says the tourist.

"No sir, I can't do that. I don't want to poke an alligator. And if we leave him there, other visitors can see him," Steve says.

But, sure as grits is groceries, as soon as Steve and the other guides look the other way, the tourist heads for the gator. He walks up. Stops. Walks closer. Leans over. Then suddenly the gator raises his head, opens that mouth full of pearly whites and emits a loud warning hiss. And the tourist sets a new record for the 100-yard dash as he comes around the boat basin.

Steve gives the tourists more than their money's worth. He knows things about the swamp that make his tour special. Things such as the gator nest a couple of miles down the canal where three cypress trees grow together. He and the other guides didn't tell the federal people about the nest because they would send down a bunch of bright-eyed academic types digging and poking around. But the guides share it with the tourists. Steve drives his aluminum boat near the nest, points out how the gator built it, and picks out the tiny, just-hatched, lizard-like baby gators. The tourists lean over the side of the boat taking in all that wilderness stuff, just dying to get back home and tell people about this absolutely exotic place down in Georgia. Then out comes Mama Gator, hissing like a steam engine. And the tourists all leap to the other side of the boat, forgetting the people back home and just wondering if they will get out alive.

The sight of 10 tourists on tiptoe on the same side of the boat makes one appreciate the wisdom of the concessionaire in buying beamy flat-bottomed boats.

Steve is considered a good guy but something of a strange duck by many of the students at Charlton County High School. They're always going out to dances, riding around, cutting up—just having a good time doing all the things high school students do. But that Steve Davis spends all his time being a guide or else out in the swamp with his dad fishing. They get hungry, they go deer hunting.

Steve is one of those kids who could be the model for what parents hope and pray their sons will become. He doesn't smoke or drink. He doesn't know what marijuana smells like. He says "sir" or "ma'am to anybody three days older than he, does his chores around the house and never, but never, gives his parents any trouble.

Recently, with the help of his aunt, Elmina Crews, he bought a pickup truck. The ashtray was broken and he refused to repair it. "But what if you have a little girl in there who wants to smoke, son?" asked his mother, Mrs. Betty Davis.

"If she smokes, she won't get in my truck," Steve said. He refuses to allow his friends or even his parents to smoke or drink beer in his pickup truck.

If Steve Davis ever leaves Folkston, the swamp will be the poorer. He is the last of a virtually extinct breed—those men who are proud to be called swamp stompers. The love and knowledge he has regarding the swamp are unequaled. And now, with the government controlling almost the entire swamp, it is impossible for anyone ever again to duplicate what Steve has done by growing up in the swamp as the child of a swamper.

"There's nobody left like Steve," Eadie said.

His family lives on the very edge of the swamp. The dark waters of the Okefenokee begin a few yards from their back door. It is land the government long has wanted. And someday they will get it. Ralph Davis knows it. The government knows it. After all, the government has gotten everything else down there it wanted. It's just a matter of time until Ralph Davis, the last of the holdouts, is forced to sell. But the feds will know they didn't just walk in and take it. Ralph Davis is cut from cloth the looms no longer spin. His father was born and lived in the swamp. He has lived off the swamp all his life. In fact, he survived the depression because of the swamp's bounty.

Steve is part of that heritage. A heritage that spreads a chasm between swampers and "the government people." But old idols tumble and old ways die. Even now "the government people" want Steve to go off to college and become a federal ranger.

The irony of the last of the swamp stompers becoming a federal man is not lost on Steve. In fact, he likes the idea of becoming a ranger if he could be assigned to the Okefenokee. But the idea of being sent to some other part of the country doesn't do much for him. It's not lack of ambition. It is instead a firm sense of place. "My daddy and my granddaddy grew up and lived here. It's what I know. It's what I love. I want to stay here in the swamp," he said.

TRIP REPORT

HON. E. G. SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 29, 1975

Mr. SHUSTER. Mr. Speaker, pursuant to my assignment to represent the House Public Works Committee at the International Highway Safety meetings, I departed from Dulles Airport at 9 p.m. on Wednesday, January 22, 1975, and arrived in London at 9 a.m. the following morning.

Upon arrival I was met by the State Department, and after checking into my hotel, proceeded to a road safety press conference and luncheon with the London press corps. At 3 p.m., I visited the House of Commons and met with the All Party Road Safety Committee of that body. At 5 p.m. I met with representatives of the Ministry on Environment and was briefed on the water pollution program which achieved great success in cleaning up the Thames River.

At 7 p.m. I delivered the International Road Safety Cup on behalf of Congressman WILLIAM HARSHA of Ohio to the House of Lords along with suitable remarks for the occasion. After dinner in the House of Lords, hosted by the Lord Champion, the cup was presented to M.

Gerondeau, French Minister of Road Safety for his notable contributions to the cause of highway safety.

On Friday, January 24, I traveled to the British Transport and Road Research Laboratory where I toured their facilities and was briefed on their many research programs and latest developments. I have secured several safety studies which I shall turn over to our U.S. Department of Transportation for their evaluation and use.

Friday evening I met with Superintendent Walker of Scotland Yard and received a briefing and tour of their central traffic control center. Saturday, January 25, I departed from London at 8:30 a.m., arriving back at Dulles airport at 3 p.m. Washington time. The State Department provided me with a standard travel allowance of 93 pounds 84 pence for the trip. I expended 89 pounds 14 pence and have returned 4 pounds 70 pence in unexpended funds to the State Department.

Although hurried, I believe the trip was worthwhile both in terms of representing our Government at the formal highway safety proceedings in the House of the Lords as well as through the exchange of information with the British Transport and Road Safety Laboratory, Scotland Yard, and the Environmental Ministry.

The Right Honorable Fred Mulley, M.P., Minister of Transport and Chairman of the British Labor Party asked that I extend his best wishes to you, Chairman Jones and Congressman HARSHA. I personally thank the three of you for providing me with the opportunity to represent our country at these meetings.

MALPRACTICE INSURANCE SKYROCKETING

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. SYMMS. Mr. Speaker, the skyrocketing cost of malpractice insurance for physicians is of concern to both the medical community and to consumers of medical care to whom the costs are passed on.

In New York, it was recently announced that the costs for coverage of high-risk specialists would zoom from \$14,000 per year to \$42,000 annually. A court injunction was necessary to halt such a drastic increase.

In Maryland, doctors and State officials are struggling to find workable arrangements for malpractice coverage since the largest insurer of doctors in the State announced that it would no longer provide coverage. Not only are doctors hurt by this and similar actions in other States—but the people who stand to lose the most are those in need of good quality medical care.

During the last Congress, only two items of legislation were introduced which addressed this problem. Hopefully,

the 94th Congress will take the time to study the situation and act to alleviate it. For the readership of the *Record*, I am submitting the following article which appeared in U.S. News and World Report:

LAWSUITS: A GROWING NIGHTMARE FOR DOCTORS AND PATIENTS

Malpractice suits against doctors and hospitals are multiplying so rapidly and growing so costly that they are significantly altering the practice of medicine in the U.S.

Rising medical costs are already attributed in some measure to the surge in malpractice suits. From all evidence, even higher bills are in the offing.

In the past five years, malpractice claims have more than doubled in frequency. Size of claims is skyrocketing. A \$100,000 suit is not unusual. In California last year there were about 30 awards of more than \$300,000 each—and half of those were for more than 1 million dollars.

One consequence: The cost of malpractice insurance for doctors and hospitals has risen astronomically—by almost tenfold in many places since 1969.

Such insurance is even becoming unobtainable at any price in more and more places. In Texas, New York, Maryland, North Carolina and Michigan, for example, many insurance firms are going out of the malpractice business or limiting coverage to "low risk" groups.

Alarm is widespread—at top Government levels and throughout the medical profession—over a situation that is creating a nightmare for doctors and patients alike. Besides cost problems, the spread of malpractice suits poses other dangers—

Doctors increasingly are reluctant to try any procedure which, while it might provide a cure, could be risky. This may stultify medical progress, scientists warn.

More and more doctors say they are practicing "defensive medicine"—keeping patients in hospitals longer, insisting on more lab tests. This development may drive up medical bills far faster than the rise in malpractice insurance premiums.

The doctor shortage may increase. Many physicians, particularly aging ones, are talking of quitting practice rather than risk suits that could hurt them financially and ruin hard-won reputations. Others are refusing to take on new patients.

Caspar Weinberger, Secretary of Health, Education, and Welfare, voices Government concern in these words:

"The increasing difficulty physicians have in obtaining malpractice insurance—at any price—has reached crisis proportions in the United States. . . . The loss of insurance coverage for physicians would have an immediate impact on the public's access to quality health care. It would most certainly drive up the cost of medical care even further and it would increase the number of tests and procedures ordered by physicians solely to protect themselves."

All told, Secretary Weinberger estimates that "high malpractice insurance premiums and the defensive medicine that results cost the public between 3 billion and 7 billion dollars a year."

THE DOCTORS' DILEMMA

Across the country, physicians and surgeons agree with Dr. Russell B. Roth, former head of the American Medical Association, who says of the increased malpractice premiums: "There's only one place a doctor can get this kind of money, and it's from his patients."

Dr. Roth suggests the premiums run from \$1.50 to \$2 for each office visit.

In Florida, where malpractice premiums are high, Dr. Pedro J. Greer, an internist who

heads the Dade County Medical Association in Miami, asserts:

"If the increase is 5 to 10 per cent of the doctor's gross income in premiums—that is probably the cost increase that should go to the patient."

Dr. Irwin J. Cohen, of the New York County Medical Society, feels it would be "unrealistic" to expect doctors not to pass on their premium costs.

Dr. Kenneth Lehman, of Topeka, Ind., is solving the malpractice dilemma by quitting. After 27 years of practice, he says:

"I am getting out because I do not want to be in the untenable situation where a jury rules on my medical competency. A malpractice decision should be made by individuals who know medicine, and there should be some limits as to what damages belong with a certain kind of case."

POUNDS OF PREVENTION

Can malpractice suits be avoided? Dr. Cohen believes that many suits result from bad communication between doctor and patient. As he sums it up:

"If a patient feels you have his best interest at heart and that you are genuinely concerned, that you'll do everything possible to treat the complications that have occurred, and you answer all his questions—then he'll be more likely to face a bad result with his physician rather than against him in court."

Still, many doctors prefer not to take high risks. According to Dr. William R. Cast, chairman of the committee on malpractice of the Indiana State Medical Association:

"Physicians are practicing defensive medicine in case they have to justify themselves to a jury. They hospitalize patients who could be home. They keep patients in hospitals longer than is necessary. They order tests and X rays that are not needed, and they order second tests and X rays when the first ones have already shown adequate results."

UP, UP GOES THE COST OF MALPRACTICE INSURANCE

Annual premiums for malpractice insurance, coverage of \$100,000 per claim and up to \$300,000 per year for all claims—

	5 years ago	Now
Portland, Oreg.:		
General practitioner, no surgery	\$181	\$484
Thoracic surgeon	684	2,420
Neurosurgeon	847	3,023
Houston:		
General practitioner, minor surgery	216	1,895
Ophthalmologist	371	4,063
Orthopedic surgeon	711	6,772
Minneapolis-St. Paul:		
General practitioner, minor surgery	89	611
Cardiac surgeon	198	1,756
Anesthesiologist	231	2,196
Atlanta:		
General practitioner, major surgery	185	1,080
Ear-nose-throat doctor	206	1,348
Gynecologist	206	1,530
Boston:		
General practitioner, no surgery	119	469
Proctologist	357	1,760
Plastic surgeon	622	3,060

Source: St. Paul Fire & Mutual Insurance Co.

"These costs are a thousand times greater for patients than what is added to their bills because of premium increases for malpractice insurance."

A San Francisco internist says he might merely bandage a friend's son who was hurt in a football game.

"But if he were a stranger, I'd have him get every kind of X ray, might hospitalize him for observation. In questionable cases I'd call in a consultant. It's the only way a doctor could have a reasonable chance to defend himself against charges of inadequate treatment and negligence."

As the chief surgeon of a large New York City hospital sees it:

"It's sad to state that a careful, clinical evaluation is no longer acceptable today. You have to reinforce it with a lot of lab tests and X rays. And these cost money—a lot of money."

In Savannah, Ga., Dr. William H. Lippitt, past president of the Georgia chapter of the American College of Surgeons, comments:

"I have had a number of doctors tell me they look on every patient as a potential suit, and that's so sad."

PROBLEM FOR HOSPITALS

Until about five years ago, hospitals by law were usually exempt from malpractice suits. That has been changing, and today most hospitals carry malpractice liability insurance and pass a portion of the cost along to patients.

In addition, hospital staffs are under orders to be generous with lab tests and X rays—to protect the hospital from suits based on negligence.

Some good side effects are reported. An internist in Marin County, California, echoes the feelings of some doctors about the specter of lawsuits:

"It's probably helpful in that it forces doctors to be more careful, and many doctors need to be more careful."

The American Hospital Association has issued a "Patient's Bill of Rights," which spells out the duty of doctors to be completely frank and explicit in outlining to a patient all possible risks. Next to negligence, the most common basis for a malpractice suit is lack of "informed consent" on the patient's part to treatment that might be risky.

WHO GETS SUED FOR MALPRACTICE?

Of all malpractice suits—

Surgery

	Percent
Orthopedic	19.0
Gastrointestinal	11.5
Gynecological	10.3
Obstetrical	5.1
Cardiovascular	1.8
Other surgery	9.5

Total 57.2

Medical treatment

Psychiatric	1.5
Cardiovascular	1.4
Other medical	17.6

Total 20.5

Radiology

Diagnostic	5.2
Other radiology	0.9

Total 6.1

Pathology

Anatomic	1.1
Other pathology	0.5

Total 1.6

All other treatment

Emergency	5.8
Vaccinations	1.2
Other treatment	7.6

Total 14.6

Source: U.S. Dept. of Health, Education, and Welfare.

"Hospitals and doctors are far more efficient and careful now because fear of lawsuits has forced them to avoid negligence," says Denver attorney Jim R. Carrigan, who handles a lot of malpractice litigation.

Some doctors blame lawyers for part of their problems. A San Francisco physician comments:

"The people who bring malpractice suits are either broke and need money or hate their doctor. In either case, they find a sympathetic helper in some lawyer anxious for a big fee."

In Atlanta, neurosurgeon Dr. William W. Moore, Jr., fears medical malpractice "is becoming a source of legal practice that's maybe looked on as a new-found oil field."

SOLUTIONS AHEAD?

Federal authorities and some States are now considering actions aimed at a solution of the malpractice problem. California's legislature, for example, has come up with these recommendations:

Empower hospitals to require doctors to carry adequate malpractice insurance—so that those with bad practice records can be screened out.

Develop screening procedures to eliminate "nuisance suits."

Appoint ombudsmen to investigate claims and make informal adjustments.

At the federal level, there are plans to consider Government-backed malpractice insurance and to set guidelines for new laws on malpractice.

But time is short, warns Dr. Jordan S. Brown of New York University Medical Center. He says:

"The malpractice situation is in the process of destroying medicine. The people who are ultimately going to lose are the patients themselves."

ROBERT A. UHLEIN, JR.—CIVIL LEADER

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. REUSS. Mr. Speaker, the Wall Street Journal recently ran an excellent article about one of Milwaukee's outstanding citizens, Robert A. Uihlein, Jr., president of the Joseph Schlitz Brewing Co. I am pleased to share with my colleagues this article by Harlan S. Byrne, entitled "Uihlein Puts the Gusto Into Schlitz's Operations." The article, from the Milwaukee Journal, follows:

UHLEIN PUTS THE GUSTO INTO SCHLITZ'S OPERATIONS

(By Harlan S. Byrne)

Robert A. Uihlein, Jr. could easily take the part of one of those gusto types in the Schlitz beer commercials.

He's tall, well built and ruddy faced, and away from his job as president of Jos. Schlitz Brewing Co., he spends a lot of time at active sports.

He plays polo on summer weekends, goes skiing in winter, plays tennis year round, and now and then takes off for big game hunting in Africa or Alaska. Uihlein even has been known to top off one of his sporting endeavors with a glass of Schlitz—just like the rugged guys do in the commercials.

His many relatives, though, are more apt to toast him for the winning points he has scored on their behalf at Schlitz. Uihlein came riding to the rescue of the company 13 years ago when he was named president. He halted a long slide in sales of "the beer that made Milwaukee famous" and turned the company into a top money making brewer as well as a blue chip investment. His efforts helped make the Uihleins one of the wealthiest families in the U.S.

FOURTH TO HEAD FIRM

To simply class the Uihleins among the super rich, however, is to obscure a significant difference. The Uihleins have continued to run the family enterprise for a much longer period of time than most wealthy families do.

Uihlein, 58, is the fourth Uihlein to head the company, which goes back 125 years. Few companies the size of Schlitz, with close to \$1 billion in sales annually, are controlled and run by one family.

The latest tally showed 460 Uihleins (including spouses) owning nearly 80% of Schlitz stock—22.7 million shares having a current market value of close to \$350 million and yielding \$15.4 million a year in dividends.

While few Uihleins are still employed at the company, the family has 14 of the 17 seats on the board. Most are descendants of four Uihlein brothers who inherited the company from an uncle, Joseph Schlitz.

NOT USUAL CASE

While many large companies stem from a single family, the control often is broken by the time the second or third generation comes along. Families lock up fortunes by selling their companies, or by reducing their ownership, and giving up management.

Motives often go beyond an understandable preference for the life of the idle rich. Not infrequently, a founder may have no offspring to take over his company. Tax laws encourage funneling of large blocks of stock into foundations.

Sometimes, succeeding generations simply have no interest in the business. Or they get to squabbling among themselves and want out.

The long term reign of the Uihleins at Schlitz perhaps isn't so surprising considering that dynasties seem to go with beer companies. Many breweries were set up in this country by German families and are still run by them—the Stros, the Coors and the Busches, to name a few others. Uihlein thinks his heritage indeed influenced him.

"My father was a strong willed Germanic type who insisted at an early age that I go with Schlitz, so I always assumed I would," he recalls.

A longtime friend of the Uihleins also suggests the work ethic has been strong in the family. It's a fact that most of the Uihleins occupy themselves at one job or another. Some of them have made second fortunes in their own manufacturing businesses, or as bankers, brokers, ranchers and oilmen.

NINETEEN YEARS OF PREPARING

While Uihlein's success at Schlitz has cast him as the family leader, there was nothing foreordained about his role. He labored at various assignments for 19 years before he got his big chance as president.

After graduating from Harvard and the University of Wisconsin Law School, he joined Schlitz in the sales department in 1942. It seemed a propitious time, as Schlitz then was the leading brewer.

During an interview in his high ceilinged office next door to the Milwaukee brewery, Uihlein remembers it was far from a happy time for him.

"Those early years were an ordeal for me. I was on the road the first 18 months visiting wholesalers and wasn't home more than a few days at a time," he says. His early training also included sweating out a year in a brewers' school in New York, which certified him as a brewmaster, the beer makers' equivalent of a Ph.D.

In time, he began to chafe at the antiquated and autocratic ways of Schlitz management. It had become a two man company, headed as president by his uncle, Erwin E. Uihlein, and a general manager, Sol Abrams, who worked for Schlitz for 70 years until he was 87 years old.

STALE FOR DECADE

When Uihlein asked a question or made a suggestion, it all too often took weeks to get a response from his uncle or Abrams that should have taken no more than a day, he says. Initiative among subordinates was all but stifled, and management methods generally were archaic.

Flaws could be overlooked as long as the company was on top. After hitting a production peak of 6.4 million barrels in 1952, the company went stale for a decade.

In 1953, a 76 day strike cost the company more than one million barrels of production. But even before then, a more serious threat was developing. The bulk of beer purchases was switching from bars and restaurants to stores, and drinkers were becoming more price conscious.

Long before Schlitz got around to it, many brewers brought out lower priced beers. Anheuser-Busch Co. brought out Busch Bavarian as a successful complement to Budweiser, and it took over first place in the industry from Schlitz in 1957. By then, Bob Uihlein was a vice president and an unhappy man.

He isn't eager to recount that period, but his wife, Lorraine, who is a more effervescent type, remembers well. "There were nights when he would come home discouraged and talk about quitting, though I'm sure he didn't mean it," she recalls.

OLD MILWAUKEE REVIVED

In 1959, over Abrams' objections, Erwin Uihlein finally was prodded into reviving Old Milwaukee, a brand that Schlitz once had, as a popular priced beer. But the debut was handled ineptly, and Schlitz sales and profits kept slipping. By late 1961, after much wrangling, the board decided that Bob Uihlein should replace his uncle as president and chief executive. Abrams retired.

Uihlein had some firm ideas about what needed to be done at Schlitz, and he indicated to directors that he wouldn't tolerate too much family interference. To his dismay, he ran into a family problem at the first board meeting after he became president. A cousin, David V. Uihlein, who had earlier acquired a small brewery, wanted to sell it to Schlitz.

"I let the others know in no uncertain terms that I didn't want that tea kettle rammed down my throat the first day on the job," he recalls. "We didn't buy it but I had to spend an entire Saturday afternoon at my house convincing David that his brewery would never make it." (Which it didn't.)

Uihlein has had other differences with directors from time to time, but he generally has had his way with the board because most of his ideas have clicked.

RECOVERY STARTS

Within a year, he had Schlitz on the way to recovery. In 1962, his first full year, Schlitz sales rose 19% to a new high of \$255 million, and profits jumped 41% to \$9.8 million.

One of his first moves was to replace the J. Walter Thompson ad agency with Leo Burnett Co. Burnett came up with catchy new slogans—"real gusto in a great light beer"; "when you're out of Schlitz you're out of beer"; "you only go around once in life." He also reorganized and expanded the marketing department, began building up the wholesaler network and ordered a new campaign to spur sales of Old Milwaukee.

He decided that Schlitz would be first in the industry with pull-tab aluminum cans. The company brought out still another brand, Schlitz Malt Liquor, which scored in the youth market because of its higher alcoholic content. He launched Schlitz into a major expansion of capacity and began

diversifying into wine, animal feeds and duck farming.

OFFICERS GROW

Another big concern at first was Schlitz's thin management. So he raised capable people within Schlitz to the status and pay that he felt was overdue, and he recruited many outsiders. When he became president, he was one of six officers; today, Schlitz has nearly 30.

He likes to think that his biggest contribution was giving subordinates a chance to make mistakes—something that subordinates didn't dare do before. He made some mistakes of his own in choosing executives, having to fire several vice presidents who didn't live up to his original appraisal of them.

Mistakes haven't done much to mar the recent record of Schlitz, however. From 6% of the beer market in 1961, Schlitz today has more than 15% (which is still less than Anheuser-Busch, which has 24%). On some counts, Schlitz has topped Anheuser-Busch in recent years: Schlitz sales and profits have grown at a faster rate, and Schlitz is expanding faster and moving more rapidly into profitable self-manufacture of cans.

Uihlein questions whether Schlitz will regain the sales lead, but he figures it is less important than profits continuing to climb. He's confident of continued sharp earnings growth in the next few years despite a leveling off of profits in 1974; Schlitz, along with other brewers, had to absorb sharp increases in grain and other raw materials costs.

For 1974, Schlitz will do well to equal 1973's record net of \$55 million, or \$1.90 a share.

STOCK DOWN

Schlitz stock, after several years of sharply ascending prices, in keeping with earnings growth, also has plunged in recent months below \$20 a share from a 1974 high of \$57 and the peak of \$68 in 1973.

At that peak, the Uihleins' Schlitz holdings had a market value of \$1.56 billion. Even at today's depressed prices, Schlitz stock is selling at about three times (adjusted for two splits) the original public offering price in 1961. Uihlein did a lot to spur interest in Schlitz stock in recent years by personally dealing with security analysts—as many as 80 a year.

In looking ahead, it's questionable how long the Uihleins will continue to manage Schlitz, although the family probably will hold on to a majority of the stock and thus retain the final say in important moves for many years.

Two of Uihlein's relatives are still officers—Fred W. Uihlein, a cousin, and Robert B. Trainer, a brother-in-law. Both joined the company before Uihlein became president, and they are considered competent in their jobs as vice presidents, but doubtful candidates to succeed Uihlein.

RESUMES PRESIDENCY

Schlitz directors apparently were preparing for an outsider to take over by promoting 44 year old Roy C. Satchell to president in February, 1973, with Uihlein continuing as chairman and chief executive. But barely six weeks later, Uihlein had to resume the presidency when Satchell resigned.

Satchell insisted at the time that he had no differences with the Uihleins but decided that he didn't really want the job—an explanation that doesn't fully satisfy people at Schlitz.

The Uihleins may have paved the way for another president last September when Eugene B. Peters, 45, was promoted to executive vice president and general manager from senior vice president for finance. The promotion elevated Peters to the No. 2 spot at the company.

Whether Peters will become president or

chief executive is far from a certainty. Uihlein also has nurtured the hope that some day one of his sons, Robert III, who is 24, and James, 22, would get interested in the business and ultimately work to the top. But so far Robert and James are leaning toward ranching.

"It's a different generation and a far different company than when I joined Schlitz, so I'm not going to tell them what to do," he says.

IMAGE ENHANCED

Whatever is ahead, the Uihleins can feel comfortable that Schlitz, which is still the core of their fortunes, is a far stronger company than when Uihlein stepped up to the helm. Thanks to him, the family also enjoys perhaps the best image it ever has had in Milwaukee.

It wasn't so long ago that the Uihleins were held in much lower esteem. For one thing, brewers had gotten a generally bad name prior to Prohibition. Also the Uihleins until recent years had the reputation, deserved or not, for being stingy in their philanthropy. And the long strike at Schlitz in 1953 proved to be a bitter one that soured the company's community relations.

With a canny public relation man, Ben Barkin, providing some guidance from outside the company, the rise of Uihlein to the top of Schlitz was soon followed by one good civic work after another. Among them were free symphony concerts, recitals, jazz festivals and art festivals.

In New York, the company has been acclaimed for sponsoring free concerts of the Philharmonic Orchestra in Central Park the past 10 years and for part sponsorship of the Newport Jazz Festival. Today, the company is considered one of the leading corporate patrons of the arts.

SPONSORED PARADES

Perhaps the company's biggest public relations coup was the Fourth of July parade that it began sponsoring in Milwaukee in 1963. (The 1974 parade was canceled because of the energy crisis, and Schlitz later ended its backing of the parade program because of "economic uncertainties"). It was the biggest parade of its kind in this country, usually drawing a half million spectators, and it cost Schlitz several hundred thousand dollars a year.

After Schlitz announced the cancellation of the 1974 parade, the company was peppered by protests. "The general tone of the letters was, 'How dare you cancel our parade,'" Uihlein says.

In Milwaukee, the Uihleins are pervasive in many other ways. Among their more recent gifts was \$1 million for Uihlein Hall, a wing of the city's Performing Arts Center. Some of the Uihleins have taken an interest in environmental movements, including the recent gift of a large tract of land near Milwaukee for a wildlife refuge.

Schlitz also is on an ecology kick, albeit partly in self-interest. At several of its breweries, the company has taken steps to protect waterways against pollution by plant wastes. And Schlitz is supporting national efforts to improve municipal solid waste systems, partly as a way of fighting antilitter moves in some states to ban throwaway bottles and cans.

FAMILY ORIENTED

In their private lives, the Uihleins seem strongly family oriented. Much of the partying they do is within the many family circles. Several of the Uihleins live within a short hike from each other in the suburb of River Hills north of Milwaukee.

Uihlein shares many of his own sporting interests with his wife and two sons. Lorraine is a regular tennis and hunting partner,

and she's an avid fan of polo, which he calls his one extravagance. He sponsors and finances not one polo team but two—the Milwaukee Polo Club and Good Hope Farms Club. Bob Uihlein is captain of the Milwaukee Club team, and he and his sons account for three of the four starting players.

He provides most of the ponies for the two teams, and to have a suitable place to play, he built his own polo field and a grandstand that seats several thousand people. The field is considered one of the best, and the Milwaukee teams are among the best in the nation. Lorraine attends most of the games and occasionally referees some of the practice games.

"I die on Sunday afternoons watching a husband and two sons playing out there," Lorraine says. She hasn't forgotten one Sunday three years ago when her husband was thrown from his pony and suffered a broken collarbone.

STARTED IN 1849

The sporting life of the Uihleins today may seem a far cry from the early days of the family in Milwaukee. The brewery where the family saga began was started in a restaurant in 1849 by August Krug, a German immigrant.

A year later, his father, Georg, decided to come from Germany for a visit. Georg also had a daughter named Katherine who was married to a Wertheim (Germany) innkeeper named Benedikt Uihlein. At the last minute, Georg decided to bring along a young son of the Uihleins, also named August.

On the way, their ship was wrecked, and after hours of clinging to a wooden box they were rescued and went on to Milwaukee. August Uihlein went to work for his uncle, August Krug in the brewery, and his brothers followed him in years to come.

After August Krug died, his widow married the brewery's bookkeeper, Joseph Schlitz, who took charge of the brewery and named it after himself. August Krug and Joseph Schlitz had no children.

SCHLITZ LOST

By 1875, the company had become a thriving brewery, partly thanks to the great Chicago fire in 1871 that wiped out some breweries. By then, August Uihlein and a brother, Henry Uihlein, were officers.

Also, it was in 1875 that Joseph Schlitz decided to return home and visit some relatives. Again a shipwreck was to play a big role in Uihlein family fortunes; Joseph Schlitz died in a wreck off the coast of England. The Uihlein brothers inherited the company, and there is no record of any other Schlitz having owned stock or worked for the company.

That's why some Milwaukeeans look upon the Uihleins as the family that made Schlitz famous.

SYLVIA PORTER CITES FOOD STAMP CUTBACK AS "MADNESS"

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. DOMINICK V. DANIELS. Mr. Speaker, the January 25 edition of the Washington Star-News contained an article by Sylvia Porter which classified the administration's proposal to increase the cost of food stamps as "madness."

Miss Porter's succinct analysis of this shortsighted and heartless proposal deserves the attention of my congressional colleagues.

As I have noted in previous statements on this issue, this proposal represents an unconscionable assault upon those Americans least able to cope with the cruel ravages of inflation, recession, and unemployment. This Congress has a special obligation to the poor and the elderly of this Nation in these troubled times. We must not abdicate our responsibilities to the less fortunate. Compassion must temper the administration's zeal for budget cuts, and a sense of social responsibility should guide the hand of policymakers.

There is no finer enterprise in which a civilized nation can engage than in caring for its aged, infirm, and poor. I hope this is an enterprise to which this Congress shall devote itself in the months ahead. Our first step must be to prevent the administration's cruel food stamp proposals from coming into effect on March 1. I hope all my colleagues will join in this worthy effort.

Miss Porter's article follows:

FOOD STAMP CUTBACK VIEWED AS MADNESS (By Sylvia Porter)

We are in deep danger of being caught between budget deficits soaring out of control and drowning our economy in red ink and administration moves to cut the budget in ways utterly repugnant to our fundamental commitment to help those who can't help themselves. The dilemma is excruciating.

As just one illustration, consider the Department of Agriculture's explosive proposal for drastic price boosts in food stamps beginning March 1 and the response by leaders of both parties in Congress that the action is "incredible" and must be reversed.

The administration's justification is clear: Budget expenses must be held down, food stamps are a major drain and the proposed new regulation—requiring all food stamp recipients to pay a flat 30 percent of their net income toward their food-stamp allotment, the maximum permissible under the 1964 Food Stamp Act—would result in net "savings" to the government of \$650 million a year.

On the surface, the boost does not appear to matter much to the middle-income family, and USDA officials have publicly stated, in fact, that 25 percent of food stamp recipients would not be affected at all by the increases.

But other facts on what the increases would do to whom uncover a quite different appallingly cold-blooded tale.

The raises would affect fully 95 percent of those now on the program—or nearly 14 million Americans out of the 14.7 million now receiving food stamps.

Hardest hit would be one- and two-person households (20 percent, or nearly 3 million food stamp recipients, live in such households and more than half of these are elderly).

For most single persons, the boost in cost of food stamps would be between 35 and 100 percent from the amounts they are now paying. For some, the increase would be 800 percent. The boost would force an estimated 10 percent of those now getting food stamps—nearly 1.5 million—to drop out of the program altogether.

As an example of who would surely drop out, a person living alone, with a new income of \$154 a month—who now pays \$33 for \$46 worth of stamps—would have to pay \$45 for just \$46 worth. Thus, every one-person household with a monthly income of \$154 or more would be dropped from the program.

As another example, an elderly, blind or disabled person who is now getting a monthly

income of \$146 through the Supplemental Security Income (SSI) program, and who now pays \$30 a month for \$46 of stamps, would have to pay \$43 as of March 1 for \$46 of stamps.

Thus, this person's food stamp bonus would be reduced to a mere \$3, and the financial incentive would be reduced almost certainly to zero—considering all the red tape a person must untangle to apply, re-apply and actually get the stamps.

For an elderly individual with an income as little as \$108 a month, the cost of \$46 of stamps would rise from \$18 to \$32, leaving just \$76 to cover all other items.

Still another hidden effect of the new food stamp price increases would involve an estimated 5 percent of today's recipients who would not be able to find the cash to pay for a full month's food stamp allotment—and would be forced to buy only part of a month's supply of stamps.

One tiny group who would not be affected would be those who now pay nothing for stamps—only about 4 percent of those in the program. Another minuscule group not affected would be those households now paying precisely 30 percent of the food stamp values.

For instance, an eight-person household, with a monthly income of exactly \$250 now pays 30 percent of the cost of food stamps—but such families account for less than 1 percent of all those receiving food stamps.

Should the proposal be permitted to become effective, it would represent one of the biggest cutbacks in public assistance benefits in our history. Even persons living below the poverty line (currently an income of \$194 a month) would have no incentive to try to get food stamps.

As one Agriculture official said, after his department's announcement, "This is madness."

To ask the poor to take on so heavy and lopsided a burden of curtailing our federal budget—while stories of embarrassing extravagance in virtually every area of spending multiply by the hour?

Yes, this is madness.

SOVEREIGN IMMUNITY

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GUDE. Mr. Speaker, one of the important legal problems facing the Congress is the question of sovereign immunity. One of my constituents, Thomas B. Cooke, of Rockville, Md., has done considerable research into this question, and I would like to bring to my colleagues' attention Mr. Cooke's speech delivered during a seminar on international judicial cooperation at the Georgetown Law Center last November.

The speech follows:

JUDICIAL DEFERENCE TO THE STATE DEPARTMENT ON ISSUES OF SOVEREIGN IMMUNITY—REFORM ON THE WAY?

(By Thomas Barry Cooke)

I would like to ask at the outset that you keep in mind the case of *Renard v. Humphrey*, wherein the District Court decided to leave open the question of whether it would uphold a claim of sovereign immunity on behalf of the Government of Brazil. By the end

Footnotes at end of article.

of this overview, I will review the facts of that case and offer to you what I believe would be a proper result as regards the determination of that issue.

Please consider the following facts: In July 1986, a shipowner entered into a charter party contract with the Government of India. The shipowner brought suit to obtain damages for the improper and unreasonable detention of his vessels, preventing discharge of the cargo and thereby causing substantial loss of time and money. Paragraph 34 of the contract provided that "any and all differences and disputes arising under this charter party are to be determined by the United States Courts for the Southern District of New York. . . ."

Now, despite the fact that the contract language appeared to constitute a waiver of immunity, the Government of India requested that our State Department recognize her actions as sovereign and grant the Government the protection that immunity can offer. The State Department consented to the request and forwarded an advisory letter to the Attorney General. Although the Court of Appeals for the Second Circuit expressed sympathy for the plaintiff, it declined to consider a challenge to immunity and held that "... once the State Department has ruled in a matter of this nature, the judiciary will not interfere."²

I offer to you for consideration that the result arrived at by the Second Circuit in the *Isbrandtsen Tankers* case is improper but nonetheless consistent with how other courts have dealt with the issue. The decision points out the inadequacies of the American system and clearly indicates that Americans who elect to conduct business with foreign powers or their agencies may find themselves unable to properly litigate their civil affairs before American tribunals.

The Second Circuit is not alone in its refusal to consider the merits of a claim of sovereign immunity. In 1974, the First Circuit accepted the Second Circuit's approach without comment³ and the Fifth Circuit has likewise denied an American plaintiff the opportunity to litigate the issue of a claim advanced on behalf of Cuba by the Czechoslovak Ambassador.⁴ The Fifth Circuit did however consider the merits of the plaintiff's contention that the Administrative Procedure Act⁵ provided for judicial review of "final agency review for which there is no other adequate remedy in a court."⁶

The Fifth Circuit's refusal to recognize the validity of the APA argument rested in large measure on what it viewed as a need for secrecy as regards State Department decisions.⁷ The decision constituted a further victory for those who would argue that it is a legitimate role of secrecy in foreign relations which, more than any other factor, distinguishes executive decisions directly concerning foreign policy from other agency action.

Now that I believe we have an appreciation of where the issue rests, our attention should be directed at how the dilemma was created. At the end of this presentation, I will spend a few minutes looking at modern day developments which aim at drastically affecting the system as it exists today. Included within this area will be the statutory reform measures reintroduced during the 93d Congress.⁸

Historically, the rule of immunity from suit may be traced to a time when most states were ruled by a personal sovereign who, in a very real sense, personified the State. For more than 160 years, American courts have consistently applied the doctrine of sovereign immunity when requested to do so by the executive branch. From Marshall's classic statement of the "absolute" theory in the *Schooner Exchange*⁹ case to the cases

which come before the District Courts today, the doctrine has remained largely unchanged. But, no longer will our system recognize an absolute barrier to attacking government action. Today, the courts and State Department alike are left to create a line between so-called public acts (*jure imperii*) which merit immunity and private-commercial acts (*jure gestionis*) which fall outside the grant of immunity category.

I offer to you that the impedus for this "restrictive" approach was first developed by Judge Julian Mack in the *Pesaro*.¹⁰ Mack's conclusion was that since "the *Pesaro* was employed as an ordinary merchant vessel for commercial purposes at a time when no emergency existed or was declared, she should not be immune from arrest in admiralty. . . ." Judge Mack's opinion was as unique an approach as it was short lived.

The reach of the *Schooner Exchange* doctrine was further extended by the Supreme Court in *Berizzi Bros. & Co. v. S.S. Pesaro*¹¹ to situations involving merchant ships owned and operated by a foreign government. The Court in reversing Judge Mack observed that Marshall's failure to include merchant ships within the scope of his "absolute" theory was of no significance since in 1812 merchant ships were operated only by private persons.¹² The decision of the Court in *Berizzi* takes on added significance today in view of the Court's refusal to follow the opinion advanced by the State Department that immunity would not exist where the sovereign's act was one related to commerce.

During 1938-1945, Chief Justice Stone delivered his famous "trilogy" of opinions which in a very real sense created the procedural dilemma the American system contains today.¹⁴ It was within the *Navemar* decision that the Supreme Court gave guidance as to the manner in which the State Department could act to bind the courts. Justice Stone reasoned that "If the claim is recognized and allowed by the executive branch of the government, it is then the duty of the courts to release the vessel upon appropriate suggestion. . . ." This guidance was further developed by the Court in *Ex Parte Peru* where the Court was provided with a State Department "suggestion." Passing over the merits of a possible constitutional challenge to such practice, the Court reasoned that the judicial branch should not act to embarrass the executive arm in conducting foreign affairs.¹⁴

In 1952, the State Department acted to put to rest the conflicting theories concerning the nature of its approach when confronted with claims of sovereign immunity. In a widely published letter (Tate Letter) from the Acting Legal Adviser Jack B. Tate, the Department announced that it would generally adhere to the "restrictive" theory of sovereign immunity.¹⁷ The pronouncement circumvented the *Berizzi* decision. In the only Supreme Court decision dealing with sovereign immunity since the issuance of the Tate Letter, the Court used language indicating at least acquiescence in the adoption of the "restrictive" theory.¹⁸

State Department procedures for deciding issues of sovereign immunity can be described as "informal." The procedures provide for acceptance of memoranda from both parties and, at the request of either party, an informal hearing is held. Representatives of both parties may attend the hearing to present their views to a panel of members of the Office of the Legal Adviser. No transcript is made of the proceedings and the Department's practice does not provide for an appeal. Generally, the Department does not explicate the reasons behind its decisions.¹⁹

Up until this point we have reviewed situations in which the State Department issued a directive. What if the Department refuses to find sovereign immunity or re-

mains silent? In *Victory Transport*,²⁰ the Second Circuit was confronted with a situation in which the State Department offered no guidance as to whether sovereign immunity could be validly claimed by a branch of the Spanish Ministry of Commerce. Commenting on the fact that neither the State Department, courts nor commentators had offered a satisfactory test, Judge Joseph Smith developed five categories in which he felt that it would be appropriate to allow immunity for a sovereign's acts.²¹ The categories included:

1. internal administrative acts;
2. legislative acts;
3. acts concerning the armed forces;
4. acts concerning diplomatic activity; and
5. public loans.

Applying the facts in *Victory* to this new standard, the Court's analysis centered on the fact that the act of purchasing wheat is a commercial or private activity and therefore not deserving of immunity status.²²

For the present time, the *Victory* test must be limited to situations in which the State Department either fails to act or denies the claim of immunity. This limitation becomes apparent when considering the same Circuit's holding in the *Isbrandtsen Tankers* case.²³ Acknowledging the existence of *Victory*, the Court reasoned that were it bound to apply the standard, the action of the Government of India in purchasing grain might be viewed as a purely commercial decision.²⁴ However obvious such a result might appear, Judge Smith was left to conclude that where the State Department has given a formal recommendation, the courts need not reach this question and would continue to pay homage to State Department "suggestions."²⁵

Measures introduced in the 93d Congress define in part the circumstances in which foreign states are to be considered immune from the jurisdiction of U.S. courts.²⁶ It is anticipated that similar proposals will be introduced during the 94th session. If enacted into law, the bills would incorporate and codify the "restrictive" theory of immunity by amending Title 28 of the U.S. Code. The central principle of the draft bills is to make the question of a foreign state's entitlement to immunity an issue justiciable by the courts, without State Department participation. If enacted into law, such reform proposals would likely produce legal outcomes far different from what has occurred to date.

Reviewing the facts in the *Isbrandtsen Tankers*²⁷ case it would appear that the act of purchasing grain is a private act and under a "nature of the transaction" test immunity would not be available. In *Renchard v. Humphreys and Harding Inc.*,²⁸ the American plaintiff brought suit to recover damages for the destruction of his house alleged to have occurred during the construction of the Brazilian Chancery in Washington, D.C. Applying the standards stated in the draft bills, the analysis would center on the application of the "nature of the transaction" test to the construction of a building. The "nature" of the action or conduct being the construction of the Chancery, the action is clearly private or commercial and immunity would not be available.

In the United States, the State Department has failed to live up to the basic policy considerations which were formulated in the Tate Letter. The results obtained in the *Isbrandtsen Tankers*²⁹ case cannot be justified under the "restrictive" theory but on the contrary they are indicative of the rejected "absolute" immunity approach. Our law has advanced to a state of confusion. In the process, the relationship between the Executive Branch and the Judiciary has become strained.³⁰ A congressional enactment is needed to delineate the precise scope of the doctrine before American tribunals. Such an achievement will serve to restore

Footnotes at end of article.

the courts to their proper role as arbitrators of legal disputes.

FOOTNOTES

- ¹ 59 F.R.D. 530 (1973).
- ² *Isbrandtsen Tankers v. President of India*, 446 F. 2d 1198, 1201 (2d Cir. 1971).
- ³ *Southeastern Leasing Corp. v. Stern*, 493 F. 2d 1223 (1st Cir. 1974).
- ⁴ *Spacil v. Crowe*, 489 F. 2d 614 (5th Cir. 1974).
- ⁵ 5 U.S.C. Sections 551-559, 701-706.
- ⁶ *Id.* Section 704.
- ⁷ See note 4 *supra* at 618.
- ⁸ H.R. 3493 and S. 566, 93d Cong. 1st Sess. (1973). An earlier draft of these bills is discussed in 63 Proc. Am. Soc'y Int'l L. 182-199 (1969).
- ⁹ *Schooner Exchange v. McFaddon*, 11 U.S. (7 Cranch) 116 (1812).
- ¹⁰ 277 F. 473 (S.D.N.Y. 1921).
- ¹¹ *Id.* at 482.
- ¹² 271 U.S. 562, 46 S.Ct. 611, 70 L.Ed 1088 (1926).
- ¹³ *Id.* at 573.
- ¹⁴ *Compania Espanola De Navegacion v. The Navemar*, 303 U.S. 68, 58 S.Ct. 432 (1938); *Ex Parte Peru*, 318 U.S. 578, 63 S.Ct. 530, 89 L.Ed 729 (1945); *Republic of Mexico v. Hoffman*, 324 U.S. 30, 65 S.Ct. 530, 89 L.Ed 729 (1945).
- ¹⁵ 303 U.S. 68, 74.
- ¹⁶ 318 U.S. 578, 588.
- ¹⁷ 26 Dep't State Bull. 984, 985 (May 19, 1952); See Bishop, *New United States Policy Limiting Sovereign Immunity*, 47 Am.J. Int'l L. 93 (1953).
- ¹⁸ *National City Bank v. Rep. of China*, 348 U.S. 356 (1955).
- ¹⁹ See, *Hearing on H.R. 3493 Before the Subcomm. on Claims and Governmental Relations of the House Comm. on the Judiciary*, 93d Cong., 1st Sess. 14, 27 (1973).
- ²⁰ *Victory Transport Inc. v. Comisaria General de Abastecimientos y Transportes*, 336 F. 2d 354 (2d Cir. 1964), cert. denied, 381 U.S. 934, 85 S.Ct. 1763, 14 L. Ed 2d 698 (1965).
- ²¹ *Id.* at 360.
- ²² *Id.* at 361.
- ²³ See note 2 *supra*.
- ²⁴ *Id.* at 1200.
- ²⁵ *Id.* at 1201.
- ²⁶ H.R. 3493 and S. 566. See comment, *The Impact of S. 566 on the Law of Sovereign Immunity*, 6 Law&Pol. Int'l Bus. 179 (1974).
- ²⁷ See note 2 *supra*.
- ²⁸ See note 1 *supra*.
- ²⁹ See note 2 *supra*.
- ³⁰ Lowenfeld, *Claims Against Foreign States—A Proposal for Reform of United States Law*, 44 N.Y.U.L. Rev. 901, 902 (1969).

GILMAN CONSTITUENTS WRITE ABOUT THE "SPIRIT OF '76"

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GILMAN. Mr. Speaker, in the aftermath of our Nation's recent crises, too many of our citizens have fallen victim to a national malaise, a widespread feeling of pessimism about our Nation's future.

It has become fashionable these days to speak of America's problems as being insoluble, and America's future bleak.

It was against this background that I solicited entries for my annual high school essay contest. This contest helped me select a deserving high school senior from my congressional district to work as a volunteer in my district offices. This

year, the subject chosen for the essays was the "Spirit of '76."

The winning essay was submitted by Finley Harkham, of the class of 1975, Clarkstown Senior High School North in New City, N.Y. Contest judge Amy Bull Crist, retired school superintendent who reviewed all the essays, also chose two runners-up, David Berg of the Newburgh Free Academy, and Gregory Kimiecik of the S. S. Seward Institute, of Florida, N.Y.

Mr. Speaker, these essays reveal not a prevailing attitude of pessimism, but a deep pride and enthusiasm for America and for her future. Since I believe they deserve to be widely read, I would like to offer the following winning essays at this time for review by my colleagues. At another time, I will present the essays which were awarded honorable mention in our competition.

"SPIRIT OF '76"

(By Finley Harkham)

We live in an age when the American people are disillusioned by their government and burdened by a faltering economy. It is a time of domestic and international problems. Our Nation's Bicentennial can serve to re-instate a sense of national pride, unity, and faith in government, which is essential if America is to resolve her major problems.

Looking back to 1776, we see an epoch of political disunity and economic strife, out of which grew a great nation. A nation forged out of the strength, courage, and wisdom of a determined people. It is these qualities exhibited by our forefathers that comprise the "Spirit of '76." This spirit has been passed on from one generation of Americans to the next as part of our cultural heritage. The magnitude of recent problems has tended to sublimate this spirit in the American people. The Bicentennial can help revive the "Spirit of '76." With this spirit to guide us, the American people will realize that there is no problem confronting our nation that is insurmountable.

Our forefathers created a government that has provided its people with a free and secure life. This government has withstood war, economic disaster, and corruption for nearly 200 years. As we look closely at our government from its beginning to the present, we should be filled with a sense of security and pride in our system.

I believe that the observance of our Nation's Bicentennial comes at a time when we need to reaffirm our national heritage. Revitalized in us, the "Spirit of '76" will guide us in our quest for a better America.

"SPIRIT OF '76"

(By David Berg)

Have you ever really thought of what the "Spirit of '76" means? To me, it is deep intense feeling of pride that every American should feel for our United States. As our bicentennial approaches we are preparing to celebrate our 200 year independence from Britain. But really our history goes back more than 200 years. Everything that happened in the past is history. We should not only celebrate our 200 year Independence, but everything we have accomplished in that 200 year span. The big date is July 4, 1976, but for how many of us would that day be just another holiday from work. What happens the day after? Is everything we have to be proud of just set aside for another 100 years for our tricentennial? General George Washington would draw up the entire Army, in double ranks on the parade grounds to celebrate the 4th. The festivities would begin with a salute to the states by 13 cannons followed by the soldiers firing "feude joye"

3 separate times. I will live long enough for the one bi-centennial and I hope to contribute to it as much as I can. I am also very proud to live in New Windsor, New York at the time of the bicentennial because it was here at Temple Hill that Washington made his famous reply to the "Newburgh Letters" quelling a mutiny between his officers and men thus preserving all the rights we fought for.

I am proud to be an American and I hope that our country will continue to grow in the "Spirit of '76" under the guidance of the "Spirit of the Lord."

"SPIRIT OF '76"

(By Gregory Kimiecik)

During the past few years, many people in America have developed a cynical attitude and have criticized the United States of America as a country economically and morally declining as never before. Surely Watergate and our present economic woes are setbacks to Americans everywhere. Now is the time, however, for Americans to stand firm on our democratic ideals as set forth in the Constitution.

Through the foresight of such men as James Madison, George Washington, Alexander Hamilton, and Benjamin Franklin, America has been provided with a living document to help guide us through our crises. Our Constitution provides us with a well-balanced separation of powers, unique in the world, yet applicable to our present times.

Certainly Watergate showed that no man is above the fundamental law of the Constitution. Both the legislative and the judicial branches carried out their functions of checking on the Chief Executive. The most obvious, but least publicized lesson we learned from this unfortunate incident, in fact, was that the National Constitution is alive and well, fulfilling its functions as set forth by our forefathers.

Our elected representatives are the living soul of the Constitution. In our Congressmen we, the people, have a direct outlet for our problems and frustrations. Pity the man who says, "Our Government is doing nothing!" We, the people are government!

Participation is the key to a healthy and responsive government. As long as we cherish and use our privilege to vote, we shall overcome any problem and justify the faith of our forefathers.

CHANGES NEEDED IN PRESIDENT FORD'S ENERGY PROGRAM

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GRADISON. Mr. Speaker, I think it is important at this time to understand the President's recent state of the Union message and look ahead to the direction we wish our country to take in the next few years.

At the outset, I would like to say that the President's program for energy is the first comprehensive, long-range plan that has been formulated to deal with our future energy needs. I agree that many of his points should be implemented immediately. Specifically, let me mention eight points:

First. Development of the Elk Hills, Calif., Naval Reserve.

Second. Conversion of as many powerplants to coal as possible.

Third. Development of the Outer Continental Shelf and Alaskan Oil Field No. 4.

Fourth. Accelerate nuclear leasing and site development.

Fifth. Reform of utility regulations.

Sixth. Extension of investment tax credits for 2 years to plants not using natural gas or oil.

Seventh. Storage program to accumulate oil reserves.

These proposals will allow us to increase our domestic production of energy and to move toward real independence.

However, I believe that President Ford's proposed excise taxes on domestic oil and natural gas should be postponed for at least 6 months because they would result in an increase in the cost-of-living by at least 2 percent which means to the average family an increase of \$250/year in energy costs and virtually negates the positive effects of the tax rebate.

Let me explain this further. I firmly believe that the economy should be our first priority at this time—to spur production and to assist the working men and women of this country who have felt the effects of the recession the hardest. The increase in investment tax credit is a positive step in promoting production.

The tax rebate must be joined to a policy of holding down Federal spending on new programs or a new surge of inflation will surely result.

Therefore, the Congress should move ahead quickly to implement the tax rebate—the quicker the better—to get the money back to the people and also act on specific points I mentioned in the energy program which would not increase the cost of living. It is vitally important that the tax rebate be signed into law before the recess scheduled on February 6. It would be inexcusable for Congress to recess until this is accomplished. With Congress scheduling a 11-day February recess, it seems that everyone knows there is a crisis but the Congress. After a suitable period of time, I am suggesting 6 months, a reassessment is in order to reexamine the economic situation before taking steps which would raise the cost of gasoline sharply.

We owe it to the working people of this country who first had to fight the inflation of rising prices and are now suffering from cutbacks in employment, to make sure their jobs are secure and prices are reasonably stable. I plan to fight for those parts of the President's program which will help them regain their standard of living.

THE BIG BUGABOO IN HIGHER FUEL COSTS

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. NICHOLS. Mr. Speaker, less than 2 weeks ago, President Ford presented to the Congress and the American people his plan to boost the economy and encourage all Americans to conserve en-

ergy. I have commended the President on his efforts but I do not believe the means will produce the results which we desire.

While reading the Cleburne News, one of Alabama's finest weekly newspapers, I noticed the excellent editorial which expresses the views of this Alabama editor. Mr. Brown Stephens, who just 2 months past became the new owner-editor of the News, is to be commended on his views and I would like them entered into the Record of this Congress so that all Members may share his remarks:

THE BIG BUGABOO IN HIGHER FUEL COSTS

(By Brown Stephens)

The newest round of economic measures put forth by the President's roundtable of experts make it appear that the people putting these ideas out might fall somewhat shy of being able to manage their own family budgets.

The big debate in Washington has seemed to be whether we should inflate the depression or depress the inflation. The measures proposed by President Ford last week seem to me to be aimed at doing neither of the above, or else both at the same time. They appear more probably to result in inflating the inflation further and depressing the depression even lower, if that's possible.

And after the things that have happened in this country in the past two or three years, anything is undoubtedly possible. Except, perhaps, sanity.

To give President Ford his due, he did originally push for one idea that seemed sound at the time, but the politicians screamed that one to death. His idea of a surcharge tax on higher incomes last fall to help cool off inflation and come closer to balancing the federal budget apparently made too much sense for most politicians to swallow.

Screams from some of them about such a surcharge hurting the middle class wage earners were pretty phony in my book. I had thought I was in the middle class yet this surcharge plan would have made me pay only about \$2 a year more in taxes. And a family earning \$20,000 a year would pay only about \$12. The burden would have been where it ought to have been on those making more than \$20,000.

And after the things that have happened in this country in the past two or three years, anything is undoubtedly possible. Except, perhaps, sanity.

The idea expressed by administration sources said the income tax refund, ranging from about \$100 for lots of folks up to a high of \$1,000 would make it possible for folks to go out and buy things like automobiles.

But the other measure would make it so expensive for average folks to drive a car that they wouldn't need a new one, except to park in the driveway.

The idea of cutting back fuel consumption so we won't have to depend on Arab oil is an admirable one worthy of support. But is this any way to do it? If you make fuel more expensive, the wealthy folks won't be bothered at all. They will just go on using as much fuel as they want, while the middle income folks, especially, will be in an even worse financial pinch. These are the folks who drive their cars from the suburbs and rural areas to work in the city, and take their families on budget vacations in automobiles. Their tax refund would quickly be eaten up by higher fuel prices.

The really unreasonable aspect of pushing up fuel prices again would be its effect on all prices. During the oil crisis last year, it became clear to all of us that when fuel costs go up, so does the cost of everything else.

An increase in fuel costs would raise the price of practically everything we buy, because everything is shipped by truck or rail, and diesel fuel is one of the major expenses in this shipping. The cost of things like electricity would go up, too, because of fuel being used in generating plants. And those which use coal would have to pay more for the shipment of that coal.

The stimulant to further inflation that would result from another fuel cost price rise would strike hard at all middle and lower income folks, especially, and generate another round of price increases that would leave persons on fixed incomes, social security and retirement funds in an even more pitiful state. The price increases would generate another round of demands for pay hikes by the unions. It's a never ending cycle that we don't need any more of.

If a cutback in fuel is necessary, anything would be preferable to higher fuel prices—even rationing. Let the government put the burden of cutting back on fuel on the backs of those who are wasting it by driving vehicles that get only 10 miles a gallon. Put an excise tax on horsepower, or better yet, accelerate the goal of having all our automobiles get at least 20 miles a gallon. If our automobiles on the highway today averaged that much, experts tell us we wouldn't have any need to import Arab oil.

CONDOMINIUM AND TENANTS PROTECTION BILL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. ROSENTHAL. Mr. Speaker, condominium sales and conversions are among the most pressing consumer problems facing the Nation today. In an effort to remedy these ills, I am today introducing, along with 31 House colleagues, the National Condominium and Tenants Rights Act.

This legislation establishes mandatory Federal guidelines for the protection of condominium purchasers and for tenants displaced by condominium conversions and it prohibits discrimination in mortgage loans based on age, sex, or marital status. The bill covers condominiums financed by any lending institution which is insured or aided in any way by the Federal Government. A newly created Assistant Secretary of Housing and Urban Development for Condominiums would administer provisions of the act.

While there is an irreversible condominium boom—HUD estimates that within 20 years, half the population will be living in condominiums—fewer than 10 States have meaningful laws protecting purchasers and not more than one or two States have laws protecting those displaced by conversions. The trend toward condominium construction and conversion may be the leading cause of the rapid decline in the availability of decent rental housing.

Loss of buyers' deposits, fraud, and sharp practices are rampant in the condominium sales area. But, it is in the area of condominium conversions and the dislocation of renters, many of them elderly and poor, where the greatest and most personally tragic abuses take place.

The psychological stress caused by a forced move is enormous, and the financial burden is staggering. Relocation expenses can wipe out the savings of a low- or moderate-income family.

That is why the Federal Government must take speedy action to protect condominium purchasers and those tenants who might be forced out by a conversion. A HUD study of condominium problems, required by my amendment to the Housing Act last year, should bolster the case for remedial legislation.

The list of cosponsors and a brief summary of the bill's major provisions follow:

COSPONSORS

Bella S. Abzug, Democrat of New York.
Joseph P. Addabbo, Democrat of New York.
Herman Badillo, Democrat of New York.
John Conyers, Jr., Democrat of Michigan.
Charles C. Diggs, Jr., Democrat of Michigan.
Christopher J. Dodd, Democrat of Connecticut.
James J. Florio, Democrat of New Jersey.
Harold E. Ford, Democrat of Tennessee.
Mark W. Hannaford, Democrat of California.
Michael Harrington, Democrat of Massachusetts.
Ken Hechler, Democrat of West Virginia.
Henry Helstoski, Democrat of New Jersey.
Elizabeth Holtzman, Democrat of New York.
Ralph H. Metcalfe, Democrat of Illinois.
Helen S. Meyner, Democrat of New Jersey.
Norman Y. Mineta, Democrat of California.
Parren J. Mitchell, Democrat of Maryland.
John M. Murphy, Democrat of New York.
Robert N. C. Nix, Democrat of Pennsylvania.
Charles B. Rangel, Democrat of New York.
Thomas M. Rees, Democrat of California.
Frederick W. Richmond, Democrat of New York.
Peter W. Rodino, Jr., Democrat of New Jersey.
Stephen J. Solarz, Democrat of New York.
Gladys Noon Spellman, Democrat of Maryland.
Fortney H. (Pete) Stark, Democrat of California.
Gerry E. Studds, Democrat of Massachusetts.
Henry A. Waxman, Democrat of California.
Gus Yatron, Democrat of Pennsylvania.
Leo C. Zeferetti, Democrat of New York.

SUMMARY OF NATIONAL CONDOMINIUM AND TENANTS RIGHTS ACT ADMINISTRATION OF ACT

By newly created Assistant Secretary for Condominium Housing in DHUD.

REQUIREMENTS FOR CONDOMINIUM SALE

No condominium housing loan shall be made to any condominium developer unless HUD has approved a written property report and that report has been submitted to the prospective purchaser 21 days prior to purchase, containing:

1. The name, address, ownership position and extent of holdings of each person having a financial interest in the project, each professional firm involved in the construction, conversion, rehabilitation, sale, or financing of the project.
2. A complete legal description of the condominium project.
3. A statement of the extent of a purchaser's legal ownership of a unit, the common areas, recreational facilities, etc.
4. A listing of facilities whose use is subject to separate fees or other conditions imposed by developer.

5. A statement of the total operating and maintenance costs of the entire project and the purchaser's unit for the preceding two years.

6. An independent engineering report showing condition of building.

7. Appropriate warranty protections.

8. Safeguards against loss of deposits.

9. Such other information as the Secretary may require.

TENANT PROTECTION FOR CONDOMINIUM CONVERSIONS

No condominium housing loan shall be made unless and until existing tenants have been granted first priority to purchase a unit, 50% of the tenants have agreed to purchase a unit prior to the conversion, and tenants are given a minimum of 120 days from notification to decide whether to purchase a unit and an additional 150 days to remain as renters.

DISCRIMINATION IN MORTGAGE LOANS PROHIBITED

No creditor shall discriminate against any person desiring to purchase condominium units on the basis of age, sex, marital status, religion, race or national origin.

PENALTIES

Any developer or creditor violating these provisions shall be fined not more than \$15,000 for each violation, and any director, officer, or employee who willfully violates the provisions shall be fined not more than \$5,000 or imprisoned not more than 6 months, or both, for each violation.

GRANTS TO STATE AND LOCAL GOVERNMENTS

The Secretary is authorized to make grants to State and local governments and agencies for the purpose of encouraging equal or superior State and local condominium standards.

AUTHORIZATION

There are authorized to be appropriated such sums as may be necessary to enable the Secretary to carry out this Act.

VIETNAM REMEMBERED

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. KASTENMEIER. Mr. Speaker, on this second anniversary of the signing of the Paris Peace Accords, we must look back on the last 2 years with considerable dismay.

Two years ago we were told that "peace with honor" had been brought to Vietnam. Yet, we know now that there is no peace in Vietnam and, without that peace, the honor heralded 2 years ago must be considered nothing but more rhetoric.

There is no honor in the fact that the fighting continues and we are still engaged in this war by proxy. Our assistance is the only thing propping up the Thieu regime. Our guns and dollars permit the death and destruction that still reigns in Vietnam. And, now, the President tells us that he will request additional military aid for South Vietnam—more money to continue the war.

Thousands of people are gathered in Washington this week to urge this government to encourage the negotiations provided for in the Paris Peace Accords. They know that we have lived a lie for 2 years. It has been easy to shove Viet-

nam to the back burner because American lives are not being lost. But, any life is sacred and Vietnamese are still dying on a large scale. As long as this country is willing to support the war, it will continue and people will continue to die.

Mr. Speaker, Garry Wills, in a column which appeared in the Washington Star-News last Friday, January 24, has told the story of our Vietnam tragedy better than most. I commend his column to all those who share my desire that we cease our hypocritical policy with regard to Vietnam and finally seek that negotiated settlement which will end this war:

SOME REMEMBER THE WAR

(By Garry Wills)

One of my own most vivid memories is of a March of Death conducted just over five years ago, in the fall of 1969. In a drizzling rain, all through the night, thousands of young people filed slowly from the Lincoln Memorial on to the Capitol, pausing only at the White House to shout a name: the name of an American soldier who had died in Vietnam.

It was a dramatic moment, and Nixon's White House responded in character, cutting the lights that outlined the whitened sepulchre of our war; instead, turning search lights out toward the marchers, to blind them when they looked through the mansion's iron fence.

These demonstrations were called a fad at the time; and for some that may have been true. Or they were called a simple reaction to the draft—and that criticism is uncomfortably near the truth.

But for some it was no fad. Day and night, without headlines, they have continued to work for peace. To an unresponsive country they have preached the message of the first war protesters back in the early teach-in days: That silent murders are being committed in our name on a huge scale, while we go about our business and ignore what our guns and dollars do. Right now our planes are flying in 500 tons of ammunition every day in Cambodia.

Protesting the war is not glamorous work, not now. It is hard, unrewarded. One is ignored. Or, if one does something to catch people's attention, one is imprisoned.

As if in pledge of their sincerity, many of those who keep up this cry of alarm in the night are expressly motivated by religion—Quakers, mainly, and Catholics. They are not following a fashionable mood but pointing at something as blatant as blood: blood.

This month, groups have been entering the White House tours every day to read in accusation the Paris Peace Accords, which we have violated. Secretary of Defense James Schlesinger openly says it is all right, now, for us to violate the accords. Back in 1969, war veterans decorated for heroism filed by the White House and threw their medals over the iron fence, protesting the mockery of it all. Will Secretary Kissinger stroll by now and toss his Nobel Peace Prize over the fence as we prosecute that war?

Those who read the accords in the White House are ignored as long as they can be; then, at closing time, they are arrested—a score or so, so far. And this weekend they are calling their friends into town for a new March of the Dead—this time, for the Vietnamese dead, not Americans; so perhaps no one will care. But I hope they do.

Those who have been reading and praying in the White House will be there, no matter what. They are the heroes of the Vietnam war—the only ones who care to remember that war, because they alone can be lastingly proud of what they did about it. They mean to keep joining the White House tours until the end of the month, when they plan a

prayer march to match the President's annual prayer breakfast, to be held on the 30th.

The rallying point for the weekend protest in favor of Vietnamese life will be the New York Avenue Presbyterian Church here. Vietnamese ex-prisoners will attend, and the Sunday night candlelight march for all the dead of that tortured country will go from the church to the White House. It is rude of these people to remind us what we have done and what we are still doing. We do not want to know. That shows how little moral confidence we can muster under their accusation.

A CONGRESSMAN'S RESOLUTION FOR 1975

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. SYMMS. Mr. Speaker, with the arrival of a new year and a new Congress, it would be appropriate for Members of the House of Representatives—both new and returning—to set forth some personal resolutions for the first session of the 94th Congress which will guide their actions as national legislators. These resolves should be based on what each of us perceives as the most pressing problems facing our districts and the Nation today and the most effective ways in which Congress can, in our opinions, alleviate or lessen them. Moreover, they should also be based on an honest appraisal of how Congress cannot solve these ills and the ways in which Congress in the past has fostered these problems or obstructed the Nation's ability to deal with them through unwise legislative intervention.

Undoubtedly an overwhelming consensus of my colleagues believe that the Nation's No. 1 problem is inflation and a rapidly declining economy. One need not earn a Ph. D. in economics to appreciate the effects of our two-digit inflation nor work on the New York Stock Exchange to perceive the downward trend of our national economy. In a larger sense, though, the question we must ask is whether or not our basic lifestyle and the standard of living to which we as Americans are accustomed can be preserved. Will the next 5 or 10 years be a period of continued technological and material advancement for the American people or will it be marked by a steady regression of the quality of life in this Nation?

Mr. Speaker, these are questions which lay heavy on my mind as a U.S. Congressman. I see a nation rich in natural resources, overflowing in human talents, and steeped in the traditions of personal freedom, individual achievement, and hard work. Yet here is a nation where the tide of unemployment is throwing thousands more out of work each month, where business establishments are folding at an alarming rate, where inflation continues to undercut our living standards and where energy shortages threaten our entire way of life. Meanwhile, the only solutions which Congress has been able to offer are more inflationary spending and more stifling regulations to dis-

courage productivity and personal initiative. More money and more coercion have become the pat solutions to every problem.

As a result, Mr. Speaker, Congress has been creating most of the economic problems which it is endeavoring to solve. That is the real problem our country faces in the coming year. And so, I am setting forth the following resolutions for 1975 in an effort to do my part in reversing our current recessionary trend:

First, I will oppose any attempt to reinstate wage and price controls on the American people, knowing full well that controls do nothing to solve inflation and only compound inflation's ravaging effects by hampering productivity and creating shortages and black markets.

Second, I will do all that is in my capacity to attack the real cause of inflation—Federal deficit spending—by working to cut back Government expenditures to a budget balancing level and by attempting to bring about the passage of a constitutional amendment requiring a balanced budget and gradual elimination of the national debt.

Third, I will work toward the repeal of all counterproductive Federal regulations and controls and will steadfastly oppose the establishment of any new regulatory structures which restrict competition, hamper production and encourage people not to work.

Mr. Speaker, perhaps with a little soul searching and a short course in free market economics, a majority of my colleagues might adopt similar resolutions for this next session of Congress. Were that to happen, such terms as "double-digit inflation," "energy crisis," and "recession" would quickly slip from common usage in the American vernacular.

GILMAN: MIA FAMILIES ARE STILL WAITING FOR ACTION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GILMAN. Mr. Speaker, today I am introducing a resolution expressing the sense of Congress that a Presidential task force be established to investigate all information and means of obtaining a full and thorough accounting for our missing servicemen in Southeast Asia.

It is distressing and deeply saddens me that this legislation is necessary, just as it angers and disturbs me that those of us who have not forgotten our missing men must rise again and again in this Chamber, and in the forums of public opinion, to cajole, to chastise, and to plead this cause with those who apparently have forgotten.

This past weekend, Washington was host to a large delegation of family members of missing servicemen, who held a vigil at the White House and visited with many of us here on the Hill. Their demonstration and meeting was scheduled for the second anniversary of the signing of the Paris Peace Accord—that

much-heralded agreement that was intended to end the war in Vietnam and to bring all of our boys home once and for all.

The Paris agreement was the result of long, painstaking negotiations and based upon the assumption that all the parties were bargaining in good faith and would abide by the agreement once it was signed.

Regrettably this has not been the case. Mr. Speaker, our Nation should candidly submit the facts to the entire world, letting the light shine intensely on those who are abiding by this agreement—and those who are not.

Article 8, section B of the Paris peace agreement states that—

The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

Has this been the case? I submit that the facts are a far cry from the agreement. Permit me to remind my colleagues that the last American death in Vietnam from hostile causes was an unarmed, clearly identified leader of a search team, Captain Reese, who was gunned down in cold blood while conducting a peaceful and previously announced search of a crash site.

Our Nation knows the location of more than 1,000 crash sites and some grave locations. We also know the locations of capture sites and other locations where men were seen alive.

We also have the word and photographs of the North Vietnamese themselves, depicting several of our men alive in captivity, in the propagandistic boasts made at the time of their capture.

The photographs of these captured men were released to the world media, they were paraded in public, and their captivity was made widely known. Yet they were not returned with the rest of our prisoners and no further information has been made known about them. Did they die in prison? Did they escape? Do they remain in prison? Only one party has the answers to these questions, Mr. Speaker.

The North Vietnamese apparently believe they can use the MIA issue to wring from us further political concessions. This is the saddest of delusions.

Our great Nation will not be blackmailed. We did not knuckle under to Communist blackmail to abandon the free Government of South Vietnam, and through our perseverance we brought our prisoners of war back home safe, unharmed, and proud. We resisted the efforts of the Arab oil blackmailers to abandon our commitments to the survival of the State of Israel. We do not formulate national policy according to the will of other nations.

Mr. Speaker, there are still missing journalists, missionaries, and 1,100 missing servicemen unaccounted for—brave young men who answered their country's call, fulfilling an unpleasant,

costly responsibility for all of us—and for the way of life they loved and cherished. We cannot and must not let them down.

The legislation I am introducing today seeks the creation of a high-level panel to look into the issue of the MIA's, to gather all existing information, to become a clearinghouse for the facts, and to investigate all possible avenues by which we can compel the Communists to live up to their word of honor.

It is a sad thing, Mr. Speaker, that we must appeal again and again to the world and to the North Vietnamese in particular to honor a commitment they made freely and without coercion—a humanitarian obligation to society.

We must act decisively and promptly to give them a clear and indisputable message that we are not going to forget the MIA's—that we are not going to be dissuaded from our efforts to account for our brave men. We can do no less for those who gave so much.

I am inserting the resolution in the RECORD at this point:

RESOLUTION

Resolved by the House of Representatives concurring:

Whereas, January 27, 1975 marks the second anniversary of the signing of the Paris Agreement, and

Whereas, the Communist bloc countries in Southeast Asia are not abiding by Articles 8a and 8b of the Paris Agreements or the Laotian protocol in accounting for our MIA's and

Whereas, there is a lack of effective action being taken or proposed to achieve a full accounting of MIA's.

Therefore, be it resolved that it is the sense of the United States House of Representatives that the President establish a Presidential Task Force on MIA's to study the cases of MIA's and their families, to propose courses of action to achieve a full accounting, and to make recommendations concerning Federal policies relating to MIA's.

ENERGY AND THE ECONOMY

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. SARASIN. Mr. Speaker, few people can refute the severity of our economic condition or the problem created by our dependence upon foreign petroleum sources. Few would deny the need to take definitive steps to resolve these problems. However, agreement on the solutions is not quite so universal and there is a disturbing tendency to avoid the tough and politically unpopular decisions necessary. Too many of our leaders are "playing to the gallery" with self-serving rhetoric while avoiding the hard choices on meaningful programs.

Inflation has seriously eroded the purchasing power of the American public, a recession is eliminating jobs and threatening business and industry and our dependence on high priced and unreliable foreign oil adds to both problems and presents a potential threat to our national security in the bargain.

Never has our Nation been threatened with such a complex and interrelated set of problems, and anyone who says there is an easy or painless solution is either naive or not very honest.

Yet when President Ford offered a program which comprehensively attacked the whole spectrum of problems, admittedly at some cost and inconvenience, there was a rush to disavow the program, delay any action and lessen the chances for a real solution. Instead of the reaction we should have seen, an eagerness to get to work on improving the program or provide meaningful substitutes, we have seen an abdication of leadership responsibility in favor of political safety.

More than a year has passed since the Arab oil boycott and Congress still has no comprehensive energy plan and shows no signs of being able to arrive at one: yet they reject the only comprehensive plan available out of hand, not even taking the time to fully explore and comprehend what is in the plan. More inaccurate and misleading statements have been uttered and written about the administration program than about any subject in my memory.

Any energy program which we undertake must accomplish several objectives. First, it must reduce our consumption of foreign oil imports. Second, it must generate revenues and incentives for the development of domestic energy sources of all kinds. Third, it should equalize the energy burden geographically, so the Northeast and New England in particular are not at an energy disadvantage. Fourth, it should disrupt our normal commerce and industry as little as possible so as not to worsen our economic state. And last, but certainly not least, it should be as fair and socially responsible to all levels of society as it is possible to make it.

This is certainly a difficult mix to achieve, but all energy proposals must be examined in relation to these objectives.

The proposal to simply reduce imports by the desired goal of 1 million barrels per day would meet the first goal, but provides little economic incentive and no additional revenue for domestic development. It would initially fall most harshly on New England, just as the Arab oil boycott did, and would have a seriously depressing effect on business, industry, and jobs.

The gasoline tax of anywhere from 10 to 40 cents per gallon which has been proposed also has serious shortcomings. It undoubtedly would reduce the use of gasoline to some extent, but the financial burden would fall most heavily on the middle class. It provides no incentive in itself for conservation in other promising areas and provides no equalization of total energy burden across the country and little encouragement for energy source development.

Gasoline rationing, the currently most popular alternative, has major disadvantages which if not recognized now will become all too evident shortly after any such program was enacted. Rationing does have a superficial fairness, but that fairness would quickly evaporate in a morass of exceptions, bureaucratic

snarls, black-market operations, and economic disruption. It provides little or no incentive for solving the root energy problem, provides no revenues, no geographical equalization of burden and would be extremely costly to administer and police.

The administration's comprehensive energy and economic program, while far from perfect and still incomplete in its details, is the only plan before us which recognizes all three requirements and attempts to deal with them. It provides a total framework, structured to achieve a long-term solution to the root causes of our energy problems in tandem with an attack on our economic ills.

It also very clearly provides both immediate and long-term benefits for the Northeast, the traditional energy stepchild of the United States. It is indeed curious that some leaders most critical of the administration program apparently did not bother to look at it closely enough to even be aware of this "New England break," in the President's initial state of the Union message, and hailed it as a "step forward" 2 weeks after it was proposed as part of the original program.

Reduced to its simplest terms, the President proposes to reduce petroleum consumption by raising the price through a combination of taxation and allowing the domestic crude oil price to rise to equal foreign oil. The money raised by the Government through the tax program will be used for income tax reductions and Federal grants for low-income persons to compensate them for higher prices. The additional revenue to the oil companies from the higher prices will be put back into development of additional domestic sources. Imposition of stiff excess and windfall profits taxes would pressure the firms to actually use this money for that purpose or to lose it. Other economic measures in the program would equalize the cost of energy across the country, including presently subsidized sources like natural gas, which have contributed to putting New England at an energy disadvantage.

Undeniably, energy prices would increase under this program. There is no way we can break the Arab oil dependency tie without some cost to us. We are going to have to pay for our self-sufficiency. But if we do it now with a comprehensive and well thought-out program, we can do it at the least cost to New England and avert long term disaster.

Actually, New England will be faced with a smaller increase in energy costs than much of the country, as revealed in the chart below. It must be kept in mind that New England winters will always impose an energy burden not carried by the South and Pacific coast areas. Estimated increase per household annually

States:	
Mountain	\$191
West/North Central	187
West South Central	185
New England	180
East North Central	174
Middle Atlantic	170
South Atlantic	154
Pacific	151
East/South Central	142

Additionally, Federal Energy Administrator Frank Zarb has given us assurances that the added petroleum cost will be added more heavily to the cost of gasoline than heating oil or other necessities, a step which not only makes the overall plan more desirable, but is helpful to New England, which uses less gasoline per capita than most of the Nation.

A properly pegged tax rebate and tax rate reduction can more than compensate for these added costs. There is valid debate about the exact figures involved, and in supporting the administration's general program, I do not necessarily accept the figures provided. It is the mechanism, not the numbers, that is important at this point. I am very pleased with the general approach in the program of giving a break to the broad middle class, the working wage earner who is usually called upon to bear the greatest burden of any government program.

Essentially, what we have here is a conflict between a tough, but workable, program and no program at all. The program does take into account the unique problems of New England and offers both short term and permanent advantages. It has problems, but it provides a basic framework upon which we can build a flexible and effective remedy to what I consider an urgent problem.

At this particular time, it is politically highly unpopular to support the plan. I have already come under fire for my position. But I have spent many hours studying this proposal, studying the suggested alternatives and considering the effects of further delay. I have concluded that the program is sound and offers the best approach for the country, for the Northeast and for my constituents. Therefore, I urge that Congress get to work on improving and polishing this plan, rather than playing politics in the face of impending disaster.

APPRECIATION OF WALTER LIPPMANN AS MAINE RESIDENT

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. COHEN. Mr. Speaker, Walter Lippmann spent a good part of his life as a summer and fall resident in my congressional district. At the time of his recent death, the Ellsworth American, published by J. Russell Wiggins, one of our most distinguished Maine editors and formerly editor of the Washington Post, asked Frederick Sontag, of Seal Harbor, a public affairs and research consultant, to research and write a report on Mr. Lippmann's relations to Maine, Hancock County, Mount Desert Island, and Seal Harbor. Mr. Lippmann wrote many of his columns, magazine articles, and books amidst the beauty of Maine and he recorded part of his famous CBS-TV interviews while walking on our beautiful Maine beaches.

Mr. Sontag's appreciation was origi-

nally prepared 2 years ago for the Maine Public Broadcasting Network. It was updated last year and aired recently in abbreviated form.

Because Walter Lippmann's books will be used for many years to come and his articles will continue to be quoted, I thought it would be useful to share with the Members of Congress and the readers of the CONGRESSIONAL RECORD the rather unique analysis of Mr. Lippmann's relations with Maine as published in the December 29, 1974, issue of the Ellsworth American and aired over the statewide facilities of the Maine Public Broadcasting Network.

The full text of the Lippmann appreciation follows:

AN APPRECIATION: NEIGHBOR RELATES SOME VIEWS OF WALTER LIPPMANN

(By Frederick H. Sontag)

(EDITOR'S NOTE.—The writer had a long interview with Walter Lippmann, his Seal Harbor neighbor, while co-authoring with John S. Saloma III their book *Parties: The Real Opportunity for Effective Citizen Politics*, published in 1972. The interview was embargoed until after Mr. Lippmann's death. Its publication schedule is "open", as it describes Lippmann's view of Mr. Nixon and some of the points made later which became part of Watergate. Mr. Sontag went through his notes for impressions of the well-known journalist, especially as they apply to Hancock County, MDI, and Seal Harbor. Parts of this article will be broadcast over the Maine Public Broadcasting Network.)

Walter Lippmann, a longtime summer and fall resident of MDI, died at 7:25 a.m., Saturday, December 14, in his New York City hotel apartment at the age of 85. He had been in failing health since a heart attack some time ago. In recent years his body was usually weak but his brain was active and alert for part of the day, while at other times he seemed far away. Until close to his death, Mr. Lippmann kept himself informed on major events in the world around him.

Some years ago CBS Television did a remarkable series of interviews with Walter Lippmann by then CBS correspondent Howard K. Smith, which were filmed on MDI and showed Lippmann walking along the shore at his MDI home.

Walter Lippmann's death came just a few days before the expected confirmation as Vice President of his longtime friend and Seal Harbor neighbor, Nelson Rockefeller. Lippmann had told me years ago that "Governor Rockefeller would be ideally equipped to be President." Looking out toward Rockefeller's Seal Harbor home, Lippmann said that he felt "the country would have been entirely different if Rockefeller had been elected. If only he had been able to be nominated," a failure that continued to fascinate Lippmann and one that he continued to ask about. "Why don't the Republicans realize he would win, and would govern well?"

No comment on the Lippmann death could be obtained from former President Nixon at San Clemente, but his spokesmen make little effort, as in the case of Congressman Wilbur Mills' recent misfortune, to hide their feelings that little love had been lost between the principals involved.

Mr. Lippmann's death also came at a time when the role of Jewish people was a subject of considerable national discussion, based on a speech given by Joint Chief of Staff General George S. Brown, who had stated that "the press was under considerable Jewish influence." The examples given by others were the New York Times and the Washington Post media empires, as well as prominent writers like Walter Lippmann and David Broder. As Lippmann said some years ago, "Peo-

ple attack the press when they have troubles and need someone to blame." In contrast to previous Presidents who had tangled with Lippmann, President Ford issued a warm statement of praise for the veteran journalist and author at his passing.

The Lippmann passing, a bright Maine woman said, "came just days after Winston Churchill's 100th birthday anniversary. They just don't come that big any more."

Mr. Lippmann used a cane while walking around MDI during his last years and he was hard of hearing. He visited Maine quietly during his last summer and was honored on his 85th birthday. Those birthday parties were something to behold as famous journalists and government leaders flew into Bangor and Bar Harbor airports to honor their old friend, or visited him in New York where he lived after leaving Washington for good.

Although his funeral was private, a memorial service at Washington's Episcopal National Cathedral is presently scheduled for January.

The Lippmanns lived for many years "on the other side of the Island." They purchased a house in Seal Harbor in recent years and sold it only a couple of years ago because of their failing health and disappointments in their plans to make it their permanent home. (They stayed at Northeast Harbor when they could not use their own house in Seal Harbor.)

The wordly wise author had his problems with Maine people at times. He wanted his house winterized, with year-round water and sewer facilities. It was not until after he bought it that he learned that large rocks would preclude winterization. "He never asked us, so we didn't tell him. After all, he's supposed to know about everything," a tough Downeaster said after Lippmann expressed indignation at this unpleasant surprise.

Lippmann said that he found Maine people "under deep morale stress. They want to be paid in cash, never by check, so that there is no record of the payments. It all reminds me of France and some parts of Europe," he commented. "The influence of the summer people here has not been a totally good one and there are deep resentments and rip-offs and a 'take them for all you can get attitude,'" he said.

The short summer tourist season made no sense to him and he joined a Seal Harbor woman in saying he couldn't understand "how anyone could manage to pay taxes for 12 months a year plus constant upkeep with only one or two months' summer tourist earnings." He said he wished he were younger so that he could explore more fully the deep underlying tensions between year-round people and summer people. "I love Maine and Mount Desert Island," he declared. "This hurts us all."

During their stays at Seal Harbor, Mr. Lippmann or his late wife Helen, who died last February, would come to the post office with a wicker basket to pick up their mail. This always included The Washington Post, his anchor paper. He got only the early mail edition and looked with interest and some envy at our late city final. He enjoyed his newspapers, opening them with gusto in his car. Those were the days of overnight mail delivery, long past since the arrival of the new U.S. Postal Service management.

Mr. Lippmann did not like heights and preferred to walk on solid soil and rocks. This was vividly illustrated when he visited the modern new house of Dr. and Mrs. Ernest Klema on Cooksey Drive in Seal Harbor. He stood against the sturdy granite chimney and said he would prefer not to climb the outside ladders (as his lively wife enjoyed doing) to the upper "decks", or go out on the lower deck overlooking the swirling sea below. His hosts, Dean Klema and wife Virginia joined their children Cathy and Donald

in offering him a stiff drink and nuts, which he promptly said he enjoyed much more.

He felt Maine public utilities were often puzzling. He said it was his experience that he could get whatever he really needed during the long telephone strike, for example, when a management representative reconnected three lines at Seal Harbor—the Lippmanns', a Rockefeller's, and a Congressional line for this author.

His favorite walk nearby was around Long Pond at Seal Harbor. He used to have his red car parked there and would sometimes just sit and look at the sunsets or at the fog rolling in. In his younger days he walked on the flat carriage roads around the quiet body of water. A few months before her death his wife had walked alone around that same pond. Always considered the healthier of the two, it was a shock when Mrs. Lippmann passed away before her aged husband. The red car was a familiar sight to the "locals" and he said that "people did not ever bother me by asking for my autograph or otherwise disturbing my walks and my thoughts. They really do respect our privacy here," he added gratefully.

Before his serious illness, he worked with Ronald Steel of England in Seal Harbor on his papers and a possible biography. Previous authors had claimed that they had had their problems with handling the Lippmann papers. James Reston said in the *New York Times* that Richard Rovere of the *New Yorker* found Lippmann chose conveniently to forget some of his previously taken stands. A Prospect Harbor lobster expert and successful businessman said some years ago, before his own death, that Mr. Lippmann had been impressed early with Germany's Adolf Hitler and the Nazi movement and that Maine people who saw spies land on Hancock County beaches did not forget that. Mr. Lippmann listened carefully to this comment when it was related to him and quickly changed the subject. The Prospect Harbor historical expert had had his information correct, however.

Walter Lippmann wondered who the leaders of the future would be. He also pondered the lack of a real successor to himself as a top national columnist. His questions about Joseph Kraft and others who had been billed as possible "mantle holders" indicated his curiosity as to who was read and respected.

Lippmann singled out the Jordan Pond House and its tea and popovers as examples of "what really makes most of us enjoy Seal Harbor and each others' company here." After discussing Jordan Pond House and how it had survived "the barbaric takeover of Bar Harbor," he looked out over the ocean and wondered "who will look out on all of this after me—maybe Admiral Morison?" How right he was on that.

Until recent years the Lippmanns walked much faster than most people much younger than they. I recall during my own days at the Seaside Inn at Seal Harbor meeting them at various locations around the Island and watching them pass many other walkers. Helen Lippmann, who devoted her life to her husband, was a dramatic example of what "modern women's libbers are NOT today." Mr. Lippmann did not seem to approve of Maine's women libbers.

He agreed that his "appeal" for many younger people was that he "got around the world more" and "could see things and people for myself." "Too many famous people depend on others for their view and impressions," he stated, "and that is why they don't understand Europe, for example." He made the point that he used his Maine visits for many purposes—work, recreation, reading, rest, and thinking.

For many years he was interested in the activities of the famous people on Mount

Desert Island and in Hancock County. "I found my talks with them in relaxed and quiet circumstances most helpful," he used to say. "It's better than in New York or Washington. I think I know who is bright on MDI and who really counts, not just the title or the name," he said with a chuckle. "It makes me curious to see what has changed with them," he commented.

When a French man o'war came into Northeast Harbor to honor Admiral Morison some years ago, Mr. Lippmann asked what the reactions of the Maine people to the visit was. When he was told that the local maidens had taken off fast with the French sailors for the three hours of recreation, he commented that "MDI people for centuries have been related to the French in heart, you know."

Affairs of state would be the subject of his columns but his questions on MDI were often about who was building a new house, or changing one, who had arrived and who was soon to leave so he could see them beforehand. His neighbors were more on his mind than his often shy exterior revealed. He knew when the Sunday New York Times was supposed to arrive at Christy's in Seal Harbor and when it was late, and like some other VIPs, he wanted to know why it was late and when it would arrive.

Long before the current serious inflation and depression, Walter Lippmann commented on Europe and America in the 1920s and '30s and wondered whether the American people, especially those who had never known these conditions, could or would take it. His questions about local economic conditions, one felt, were really intended as a check compared to the big national reports he was getting. He felt that severe economic conditions could widen the split between summer and winter people all the more. He openly wondered what it would do to law enforcement and whether Maine could cope with this better than Washington or New York, and seemed to believe Maine could.

He knew more about Hancock County and MDI's beauty and people than most suspected. With his wife at the wheel, he was driven all around MDI and there were few other places he had not seen during his lifetime. He had "mentally charted the Island," as he once put it. Climbing a mountain on MDI one day long ago, Helen admonished her husband, "Look, Walter. Don't think." He took her advice and fully relished the beauties of the area ever afterward. His appreciation of the place was so deep that he planned to live out the remainder of his life on Mount Desert Island, as did his wife.

MDI's influence on Walter Lippmann ran deep and was a part of his being. His influence on his friends and neighbors here, like a promising young native whom he had wanted to put through medical school but who subsequently decided on another career, will be cherished for many years to come.

INCREASE THE CORPORATE SURTAX EXEMPTION

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. ARCHER. Mr. Speaker, I have again introduced a bill which would increase the corporate surtax exemption immediately to \$50,000 for 1975 and gradually to \$100,000 over the next 5 years.

There are over 1.7 million active corporations in the United States today. More than 80 percent of these companies are small businesses which operate on gross receipts of less than \$500,000 annually. Over 90 percent of them have assets valued at less than \$2 million.

Amidst the many problems of inflation and recession in the mid-1970's, small businesses continue to provide excellent economic opportunities for the young, the adventurous and the innovative among our citizens. The risks and challenges of owning and operating a small company are great, particularly in these troubled economic times. Yet, a healthy small business sector is an essential ingredient in our economic system, and we should do nothing to inhibit or impede its continued good health.

Of necessity, most new businesses begin as small companies. Often, their greatest need is to raise and expand their working capital both to finance their day-to-day operations and the necessary modernization and expansion and to survive. Unfortunately, economic conditions during the last decade, and particularly the last several months, have had a devastating impact on the ability of small companies to raise needed capital. Even in the best of times, they must rely almost exclusively on internally generated earnings and on bank loans. In recent months, interest rates have soared to levels which virtually prohibit small businesses from borrowing. This interest rate instability leaves only retained earnings as a dependable capital source.

Federal tax policy obviously plays a key role in determining how substantial any company's retained earnings will be. The President's Task Force on Improving the Prospects of Small Business reported:

The inhibiting effect of high income tax rates on small business has long been recognized. New and growing small businesses often cannot meet their initial and early costs and, at the same time, pay out a high proportion of earnings in income taxes. A high income tax depletes the internal funds for additional investment on which the small business must mainly rely. Measures that permit increased retention of earnings, on the other hand, help to finance growth, ease the climate of borrowing, and foster the establishment and healthy expansion of small concerns.

The principal form of tax relief for small businesses is the corporate surtax exemption. The existing corporate tax is composed of a 22 percent normal tax on all taxable income and an additional 26 percent surtax on all taxable income in excess of \$25,000. The current level of this exemption was established in 1950 with the thought that any corporation which had taxable income in excess of \$25,000 was sufficiently well off to bear the full 48 percent tax rate. While the tax rates themselves have varied somewhat since 1950, the surtax exemption level has not.

While a \$25,000 exemption may have provided adequate tax relief in 1950, the effect of inflation over the last 25 years on the surtax exemption has been devastating. It is no longer reasonable to assume that a company with a taxable income in excess of \$25,000 is necessarily a

healthy and wealthy corporation which can pay the high tax rate without concern. In fact, the sudden jump from the 22-percent tax rate to a 48-percent tax rate on each additional dollar of taxable income above \$25,000 is a very sobering experience for the small businessman who has seen his profits bloated by inflation. The inadequacy of the exemption has been further aggravated by repeal of the availability of multiple surtax exemptions for affiliated corporations. Where once a group of small businessmen owning two or three corporations engaged in different businesses were allowed the use of an equal number of exemptions, the Tax Reform Act of 1969 has phased out this benefit. Now, affiliated groups are allowed only one \$25,000 exemption regardless of the diversities of their businesses or the absence of a tax avoidance motive.

As economic conditions and Federal tax policy continue to work to the disadvantage of small companies, we must take action to overcome two decades of Federal neglect of their tax problems. The current calls for tax reductions for individuals and a higher investment tax credit should be expanded to include relief for hard-pressed small businesses. We cannot afford to allow the small business sector to wither under the weight of tax burdens which deplete its internal capital resources.

The most appropriate form of relief for small businesses—and one which is many years overdue—is an immediate increase in the surtax exemption level. Such an increase would have a number of effects.

First, it would not require any exhaustive study by congressional staffs, complicated technical drafting, or time-consuming implementation.

Second, it would not require new regulations or rulings for its interpretations.

Third, it would not become as controversial or as litigation prone as a new form of tax credit or a new set of deductions or an overhaul of the corporate tax provisions for the purpose of providing small business relief.

Fourth, it would provide simple, efficient, and equitable tax relief to small businesses.

This bill would increase the surtax exemption to \$50,000 for taxable years starting after December 31, 1974, and scale it up to \$100,000 over a 5-year period. This would have a very minimal effect on the fiscal 1975 budget and only an approximate \$1 billion impact during its first full year of implementation, with no allowance for the feedback effect from higher employment and better utilization of resources in the small business sector.

The Committee on Ways and Means reviewed my bill during the tax reform sessions in the 93d Congress. I hope it can be included in the tax reform bill to be developed in 1975 after the committee completes work on an emergency tax bill. There can be no more important reform than providing relief for the Nation's small businesses.

THE RATIONING PSYCHOLOGY AND CONGRESSIONAL LEADERSHIP

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. MICHEL. Mr. Speaker, there are so many logical and sensible arguments against a program of national gasoline rationing that it is difficult to summarize the whole case in any single speech or article.

I was struck, however, by the cogency of the arguments used in a recent editorial in the Wall Street Journal, and I include that editorial to be printed in the RECORD at the conclusion of my remarks.

A very short companion editorial appeared with the one I have already mentioned. In this piece, the editors chide this Congress for its inaction on energy matters. The criticism is deserved, I think, and so I include that short editorial, too, to be printed at this point in the RECORD:

[From the Wall Street Journal, Jan. 23, 1975]

THE RATIONING PSYCHOLOGY

Just as we feared, Congressmen are beginning to join the gasoline rationing bandwagon, despite—or maybe because of—President Ford's assurance that he would most likely veto any such plan. First it was Senator Jackson. Yesterday Senators Mansfield and Weicker signed up.

So it seems to become necessary to discuss gasoline rationing as if it were a proposal the nation should take seriously. It is a depressing chore. Perhaps we can make matters easier by putting aside for the moment the fact that keeping prices low does not encourage domestic production, in itself a fact important enough to sink any idea that rationing is a long-run path to energy self-sufficiency. Rather, we will set aside problems of supply, and look only at the problems of consumption.

As we understand the argument for gasoline rationing, it's based on the notion that energy conservation and a further income transfer from the rich to the poor can both be accomplished by the same measure. Or at the very least, there can be energy conservation without it imposing any burden on low-income motorists, which is almost the same thing. The burdens of conservation would be born only by the rich, people who need extra gasoline to drive to their polo match, for example.

Now, in any rationing schemes the ration tickets must be either transferable or non-transferable. Either everyone is stuck with his allotment, which President Ford estimates at nine gallons a week, or those who most need gasoline are allowed to buy coupons from those who need it less. How the price of rationed gasoline plus ration coupons would compare with the price of unrationed gasoline is an interesting economic problem; but the mere thought of the problem warns against the assumption that rationing will truly keep prices down and reduce the drains on the economy.

So let us lay aside not only the problem of supply effects but also the problem of the price of coupons. What about rationing as a method of income transfer? Well, it ignores a salient feature of American society.

To wit, the poor or relatively poor often are much more car-centered than the wealthy. Some Tennessee mountaineers drive 50 miles a day to and from jobs but many Wall Street

bankers use public transportation. In most cities and towns around the country many of the gas-guzzling hot rods will be owned by auto mechanics, truck drivers and factory workers; many Volkswagens will be owned by college graduates who prefer to spend their money on a \$70,000 house.

To create "equity" in this maze, or to parcel out the coupons if they were non-transferable, the rationers would need to decree that ration stamps would not be passed out in equal portions to every licensed driver but would be apportioned according to necessity—as in World War II, when there were A stamps for frivolous drivers, B stamps, C stamps and T stamps for trucks, etc. To make these determinations, they would set up rationing boards in all the nation's county seats. So instead of the nation cutting its fuel costs in an economic sense, it would raise them through the necessity to hire a vast bureaucracy of rationers. The real income transfer would be from motorists to a new army of bureaucrats.

There is another problem as well. The history of efforts to control consumption through enforcement is a depressing one. You need think only of prohibition, or marijuana or even heroin. And at the moment, there is no shortage of gasoline at current prices, the shortage would have to be created by blockading the borders. And of course, even in World War II, when rationing was supported by a national desire to help the war effort, those T stamps eventually became very plentiful on the black market.

Congress is apparently willing to lay aside all of these problems, permanently rather than merely for the sake of argument. Or perhaps instead some members are exercising their machismo, behind the safety of President Ford's promise to veto the measure and save Congress from bearing any responsibility for its results. For if the voters ever do experience rationing for a while they are going to like it even less than the President does, and two years isn't too long a time to remember who first brought it up.

CONGRESSIONAL LEADERSHIP

If President Ford's energy proposals accomplish nothing else, they have at least united Senators Henry Jackson and Edward Kennedy. President Ford currently has authority to go ahead with one part of his energy program, the tax on imported oil. But the two Senators have agreed to sponsor legislation that would delay the tax by 90 days.

It's not that the Democrats are ready with a substitute for the Ford program. Indeed, over in the House, the Democratic leaders recently outlined seven approaches to the energy problem, but were unable to agree on which to take. A 90-day delay is needed, the announcement by Senators Jackson and Kennedy explained, to give Congress a chance to "develop fair and equitable alternatives."

It is now 461 days since Saudi Arabia embargoed oil shipments to the United States. Congress hasn't figured out what to do about it, but if it can delay things for another 90 days, maybe it will think of something.

CALL FOR A NATIONAL REFERENDUM

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. BROOMFIELD. Mr. Speaker, South Korean President Park Chung

Hee's call last week for a national referendum on his leadership should be a source of encouragement to every responsible American concerned with preserving our national security and furthering democratic rule in the world.

His action demonstrates the Republic of Korea's determination to give its people a voice in their government despite the constant threat from a militant, totalitarian government on its northern border.

While no Member of Congress wants to involve himself in the internal problems of another nation, the fact is that our fate has been linked closely with South Korea's since the Korean war in the 1950's.

Our own national security and world stability continue to be affected by the governments which rule the Korean peninsula.

In a world where our influence seems to be shrinking and one-time allies have been neutralized or have become our active adversaries, South Korea has remained a cooperative partner. That fact was demonstrated tangibly in Vietnam where South Korea came to our aid with more than 50,000 combat troops—the largest contribution of any nation other than the United States and South Vietnam itself. South Korea has remained a willing ally despite mounting criticism of her internal policies.

President Park has responded by providing his critics with a democratic means of expressing their misgivings and has promised to abide by the will of the electorate.

Whatever the outcome of the referendum, a program has been set in motion for the continuation of an orderly and stable government in South Korea—one in which the Korean people will have a representative voice.

We in this country can only hope that this process will be allowed to go forward smoothly and with moderation practiced on both sides so that the democratic traditions on which the referendum is based may be fully realized.

Mr. Speaker, I commend to my colleagues the following text of President Park's speech announcing his decision to the Korean people last week:

PRESIDENT PARK PROPOSES REFERENDUM ON YUSHIN CONSTITUTION

(The following is a translation of the text of a special statement issued at 10 a.m., on January 22, 1975 (Korean Standard Time), by President Park Chung Hee on the proposed national referendum.)

Today I want to ask you who are the sovereign people for the further exercise of your wise judgment on an important resolution.

Our people of the Republic of Korea confirmed the present constitution, embodying the nation's ardent aspiration for stability and prosperity as well as pursuit of peaceful unification of the fatherland in an exercise of the people's sovereignty displayed in the national referendum of November 21, 1972, thereby setting forth in this land a new constitutional order designed to facilitate great revitalizing reforms in all sectors of national policy.

Generally speaking, a constitution is the basic law of a country, the existence of which is based upon the sovereign decision of the people, and the value of which is

found in its fostering of a nation's public interests. A constitution is the tangible manifestation of a national will to pursue the historical mission and ideals of the time and the society.

The existing constitution and the Yushin (revitalizing reforms) system based thereupon embody the following:

A government system aimed at coping effectively with turbulent situations at home and abroad, and organizing and accelerating buildup of national strength by eliminating all wastes and inefficiency, as well as a constitutional order facilitating the development of the kind of stable democracy best suited to our historical reality; and

Also an aspiration for national renewal designed to lay the foundations for peaceful unification of the fatherland by forestalling any invasion attempt by the north Korean Communists, such as the Korean War; and by bringing about lasting peace on the Korean peninsula.

In the past two years, we have reaped remarkable achievements in the buildup of national strength, while maintaining this constitutional order.

However, as I explained several times at the turn of the year, we now face grave difficulties no less serious than those of last year.

The worldwide economic recession prompted by the oil crisis is worsening as time passes, and the resource shortage coupled therewith is creating new tensions between countries producing and consuming these resources.

As for international politics, the possibility of the outbreak of local wars has been increasing, despite the efforts for detente among world powers.

Under these circumstances, the North Korean Communists are frantically attempting to obliterate our freedom and even our existence.

They have constantly sought an opportunity to communize the entire Korean peninsula; they have unilaterally suspended the South-North Dialogue, born of the aspirations of the 50 million people, trampling down the South-North Joint Communiqué of July 4, 1972, and have been denouncing or rejecting all the just, practicable and realistic suggestions we have proposed.

We find ourselves in a position from which we must safeguard the lives and freedom of the people and seek peaceful unification of the divided fatherland in the face of incessant threats of communization by these bellicose and dogmatic ultra-leftist adventurers; and we must, at the same time, pursue stability of the people's lives as well as development of the national economy in the midst of the worldwide economic recession.

If there is a way to ensure our freedom and existence as well as our peace and prosperity with our own hands in such a difficult situation, it would be simple for each of our people to be faithful to his occupational role, to work hard with sweat, and explore the great potential of our nation; and to integrate and subliminate that potential into national solidarity.

Due to the present universal economic recession and resource scarcity, many countries are being menaced by threats of unemployment and starvation. Even some advanced nations are undergoing great confusion, economic, political and social, unable to overcome such difficulties effectively.

But it is entirely the result of the hard work we mustered in concerted endeavors between the government and people, under the orderly and efficient governmental system created by the October Revitalization, that we have been able to cope with threats from Communist North Korea while maintaining the basis of stability for the people's lives even at this perilous juncture.

We have never heard of a single case in the

history of the world in which national difficulties were surmounted by means of self-indulgence and factionalism, without any self-restraint or concerted efforts on the part of the people.

Today, some articulate people in western society talk of a so-called "crisis of western democracy," realizing that there are many insufficiencies in the contemporary political order of western countries hampering the effective solution to complex contemporary crisis. They emphasize that the only way to surmount grave obstacles lies in restraint and unity on the part of the people, as well as in leaders' effecting action.

Even in this context, we cannot help but reaffirm the historical necessity and virtual inevitability of the Yushin system.

If we are to pursue the path toward peaceful unification of the fatherland, forcing Communist north Korea to abandon its schemes for achieving unification under communism; if we are to regain national conscience, and pursue the South-North Dialogue with sincerity, it will be possible only if we ourselves, first of all, rally firmly behind the cause of the Yushin system, building up national strength without the slightest gap or waste, thereby pressing our supremacy of power over our adversaries.

The stability of the people's lives and development of the national economy, too, can be realized only when we maintain stability in all sectors, including politics, economy, society and culture, with emphasis on public interest and order upholding efficiency and practicality with the government and people cooperating in the buildup of national strength by concerted efforts.

If we clamor for freedom and democracy only with words, and neglect the ensuring of national strength which constitutes their basis, encourage self-indulgence instead of freedom, and confusion instead of democracy, the north Korean Communists, far from agreeing to dialogue, will only intensify their various schemes and provocations for communization of the whole country, taking advantage of our disunity and confusion.

The basis of stability for the people's lives would thus be destroyed, and development of stable democracy can hardly be expected.

Therefore, the existing constitution and the Yushin system based thereupon are the only path for our state and nation to survive these difficulties.

Nonetheless, there are some persons, a segment of our society, trying to paralyze the function of constitutional rule in disregard of the constitutional process, agitating for repeal of the Yushin system and the present constitution. These people undermine national unity by splitting national opinion, creating social confusion by making even the issue of the security of the nation a pawn of politics. They issue irresponsible utterances, such as, "There can be no threat of aggression from the north", despite their witnessing the atrocity on last August 15, and the discovery of an invasion tunnel in the demilitarized zone.

If these utterances and this conduct were left unchecked, it would lead to destruction of national unity, dispersion and weakening of national strength, and undermining of the basis for stability of the people's lives, as well as the crushing of economic development and entanglement of social order.

Our internal splits and confusion would result in assisting the so-called "People's Democratic Revolution" of the north Korean Communists, and would incur a grave situation, endangering the security of the state itself by granting an opportunity for armed aggression to Communist North Korea.

In view of these circumstances, it is my conviction that the existing constitution can by no means be repealed until the north Korean Communists abandon their violent revolutionary policy aimed at communizing

the whole Korean peninsula, and threats from the north are removed completely.

I rather firmly believe that this constitution should be safeguarded continuously and the revitalizing system should be further developed. This is the basis of national administration on which I, in my capacity of President, preside, prepare and execute major national policies.

Therefore, I am resolved to ask you the sovereign people directly by conducting a national referendum, pursuant to the decision of the Cabinet and in accordance with the provisions of Article 49 of the constitution, whether or not you approve this important state policy, that the existing constitution should continue to be safeguarded.

I have renewed my determination to carry out with even greater sincerity the responsibility of the president for defending the state and promoting the interests of the state and the well-being of the people by a coalition of national opinion and reaffirming the historic appropriateness and national suitability of the Yushin system in that manner.

Therefore, you the people, who are the national sovereign should decide in the proposed national referendum whether you wish to continue to maintain the present constitution for the sake of our security, freedom, peace and prosperity, and develop further the Yushin system based thereon, or whether you would return again to the old system of confusion and retrogression.

The October Revitalization was a reform intended to eradicate that confusion and license that irresponsibility and inefficiency, which had been rampant in the name of freedom and democracy and to accelerate the strengthening of national power, thereby developing a genuine democracy compatible with our historical realities.

It is for this reason that our people established the government by due democratic procedures, with the current constitution as its basic law, and are enjoying their due share of freedom, doing their best in their respective roles and occupations.

There is no other "freedom" or "democracy" which should be recovered at the cost of social stability.

Some are mistaken enough to consider that criminal acts such as undermining social order or overthrowing the state and government conducive to restoring democracy and freedom, but this misconception can never be condoned.

Nevertheless, some persons who are slandering the constitution seek to delude the people into believing that constitutional revision would solve all economic and security problems, making the nation better off overnight, they chant such attractive slogans as "restoration of democracy" or "freedom," but they are bent on disturbing the society and instigating destruction of constitutional order.

However, all our countrymen are well aware of the enormity of the wrongs that have been done to our nation and society by such abusive behavior, weakening national power, encouraging waste, disorder and inefficiency.

Some have repeatedly gone to the extreme of opposing everything the government does just for the sake of opposition, without bothering to reflect upon whether it is right or wrong.

They termed diplomatic normalization with Japan a "sellout," they accused the dispatch of our troops to Vietnam as "blood politicking"; they criticized the activation of the homeland reserve forces as a political maneuver.

In the legislative chamber, they often stormed the rostrum and engaged in violent obstruction simply because their minority opinion was not adopted.

Every election has been marred by extreme waste of national wealth, confusion, and even demoralization of the people in the flurry of excessive politicking accompanied by disorder and corruption.

Fellow Countrymen.

I have described the "freedom" and "democracy" which opponents of the current constitution like to be restored.

We can never say there are genuine freedom or genuine democracy.

They are freedom and democracy in name only, for they are license, confusion and irresponsibility indeed.

Freedom and democracy are not a possession or a special skill possessed exclusively by those people opposing the present constitution now.

They rather represent universal standards of behavior which are enjoyed by each and every citizen now, and which will be further cultivated.

Under democracy, minority opinion is respected, but the decision is taken by majority rule; competition takes place in good faith, and the outcome is readily accepted; individual freedom and rights are enjoyed, but within limits that would not harm the freedom and safety of the citizens, particularly the freedom of the entire people and the security of the nation.

Therefore, it would be a gross mistake impeding the development of the nation and the people, and thus a blot on the history of our nation for us to relapse now into the same old license, confusion, irresponsibility and inefficiency.

In such a political climate it would be impossible for anyone who might assume the helm of the ship of state to put his patriotic statecraft into practice with confidence.

In view of the internal and external realities this nation is facing, I would like to reiterate my conviction that the present constitution should be protected, and major policies should be formulated and executed with the aim of developing the Yushin system based on the constitution for the purposes of:

Resolutely countering the threat of war and military provocations from Communist north Korea;

Preserving the life, property and freedom of the people by firmly establishing peace on the Korean peninsula;

Promoting national interests by flexibly adapting to fast-changing international situations;

Assuring the people secure living through the cultivation of national power despite the world economic recession; and

Laying a solid groundwork for the peaceful unification of the fatherland.

In my judgement, this is the way to discharge the responsibilities of the President with sincerity.

Therefore, I would consider the proposed referendum an occasion for not only voicing approval or rejection of the constitution, but also a vote of confidence in the president.

Personally, I have dedicated myself wholly to the historic mission of reviving the nation.

If you, my fellow countrymen, do not recognize the historical relevance of the Yushin systems and desire to abolish the existing constitution, I would take it to be a note of nonconfidence in me and would step down from the presidency immediately.

If you, my fellow countrymen, agree to my major policies designed to continue defending the current constitution, I pledge anew to devote myself to the cause of the nation and people in the strength of your confidence and support.

The forthcoming national referendum will prove an important crossroads that will steer the course of the nation in one of two ways.

It is my hope that you, in full realization of the difficulties confronting us, will make an earnest, wise and patriotic decision.

VOTING IS THE REAL BICENTENNIAL CELEBRATION

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. HYDE. Mr. Speaker, in the December 30 issue of the Chicago Tribune, Mr. Joseph T. Meek, founder of the Illinois Retail Merchants Association, suggested in a guest column that this Nation, in connection with its Bicentennial activities, launch a "strong, non-partisan, nationwide effort" to attain a minimum of 100 million registered voters by July 4, 1976, and to insure that at least three-fourths of those registered actually cast ballots in the 1976 general election.

Mr. Speaker, I agree with Mr. Meek that active voter participation would be a most fitting observance of our Bicentennial. Public participation in the governmental process has enabled our form of government to survive for 200 years. Only through continued and vigorous public participation can we expect it to last another 200 years.

This Nation has more than 140 million persons of voting age. Certainly more than 100 million should be registered voters. Yet, in the last Presidential election less than 78 million votes were cast; and in the election last November a woefully small number of persons exercised their right, and responsibility, to vote. I am convinced that dishonest government is encouraged by honest men and women creating a political vacuum through their failure to participate in governmental processes.

Mr. Meek's goal is worthy of attention and I include his article to be printed in the RECORD at this point:

VOTING IS THE REAL BICENTENNIAL CELEBRATION

(By Joseph T. Meek)

The Bicentennial observance in 1976 must, to carry any significance and have any effect on a new and mistrusting generation, recreate in the citizens a deep sense of responsibility for and participation in the governing of their country.

We hope a strong, nonpartisan, nationwide effort will be made to have 100 million registered voters by the Fourth of July, 1976—a pointed way to the peak of patriotism, earned participation.

By November, 1976, we would like to see three-fourths of those voters at the polls to insure at least, that the majority has spoken.

Already a vigorous but small group of senior citizens is supporting a "Bicentennial Committee of 100 Million Americans," working hard toward this goal. These worried patriots deserve the united strength of the nation.

Dr. Mark Krug of the University of Chicago and others, including this writer, have been working with high school and college students and their teachers to develop conscientious, dedicated citizens. Modern America is seemingly as unacquainted with the meaningfulness of its vote as is the citizen who, for the first time, becomes old enough to vote.

To the new generation, Dr. Krug wrote: "Americans will love America the more, not less, when they gain an insight into the fact that generations past have built America soundly and well. These past generations

have left for new generations the task of improving and refining our way of life and the government which permits it to develop as free citizens want it and not as dictators desire it . . .

"The young in particular, must be deeply imbued with and committed to the American creed. . . ."

Part of the lesson we must learn from the coming Bicentennial is that we must intelligently defend the advantages of our way of life, our system of government.

The Bicentennial ought not only entertain but inform millions of Americans that political competence is essential to the protection and advancement of what every profession the new voter selects or the adult tries to follow.

Most of us, in school and out, have been taught only the advantages of governmental processes, but have never been taught the essential steps of selection, nomination, and election, which is the "Fancy Dan" stuff gone to work—politics!

Many men and women in government are cynical, frustrated, and disillusioned. Those conditions have been brought about not by the processes but tragically marked by the apathy, carelessness, and criticism of those who take our nation for granted.

We have told students to never become cynical about politics, that, in a real sense, it is the only game in town.

Politics is the life blood of a democracy, of a republic. It is the fuel that propels the engine of a free society. To profess love for the democratic form of government but ridicule and disclaim its politics is to pretend to honor a product while despising the process that creates it.

It is exactly in this area of history book hypocrisy that the young generation finds the "double-talk" which it has come to despise and shun.

The extent to which the political life of our country becomes corrupted is the result—almost entirely—of the tendency of sincere, decent, and unselfish people to wash their hands of their responsibilities and abdicate the field to the special interests, the selfish, and the cynical.

The 1976 Bicentennial will be the greatest of costly failures in our history if it glosses over what we are trying to celebrate, what we must do to have an even more glorious celebration in 2076.

Without a representative vote in 1976 our Bicentennial may well be a wake in advance of our death as a competitive two-party system. Our songs may well be dirges for a citizenry which failed to believe in and support its own existence.

LEGISLATION TO CURB EXCESSIVE FDA REGULATION

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. ARMSTRONG. Mr. Speaker, today I am reintroducing legislation to restrict the further assumption of regulatory authority by the Food and Drug Administration. This bill is identical to H.R. 643, introduced by my friend and former colleague, Craig Hosmer, in the 93d Congress.

The FDA feels present regulations do not protect the public and that megadose vitamin therapy may be harmful unless supervised by a physician. The FDA has recommended that large doses of vitamins be available only by prescrip-

tion—although the scientific evidence to support such a course of regulation is mixed—at best.

This bill will prevent any regulation of vitamins and food supplements unless the FDA can prove the dosage will be harmful.

Since 1962, the FDA has been trying to force vitamins and other food supplements into stiff, prescription-like regulations. In the face of congressional action, those early attempts at regulation were withdrawn. Then the FDA began a more studied and deliberate campaign, culminating in a proposed series of regulations published in mid-1973. In August 1974, a U.S. Second Court of Appeals prohibited the FDA from immediate implementation of its regulations. But the proposed FDA standards will still go into effect in June 1975 unless Congress acts.

We have seen a tendency toward greater and greater regulation, toward greater and greater power, in the Federal Government. So the FDA's actions come as no surprise.

Regulation for the sake of regulation is wrong, however, and that is just what the FDA's actions smack of. At a time when noted scientists disagree over the questions of vitamin dosages, at a time when there have been few, if any, documented cases of health hazards due to vitamin overdoses, at a time when a medium-sized carrot contains more vitamin A than the amount the FDA would like to have dispensed by prescription only, I can see little or no justification in allowing the Food and Drug Administration to assume greater and greater authority.

The greatest dangers we face today are not from unregulated business or industry, but from unregulated government. While business must abide by the law, it is even more important that Government be held in check.

CEREMONIES MARK OPENING OF NEW SOUTH POLE STATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. TEAGUE. Mr. Speaker, on January 9, 1975 a new facility at the South Pole, called the Amundsen-Scott South Pole Station, was formally dedicated. The construction of this new U.S. facility took 4 years and replaces a station built 19 years ago.

Dr. Guyford Stever, Director of the National Science Foundation, led a party of 24 officials to the South Pole for the dedication ceremonies. My distinguished colleague from Texas, the Honorable J. J. PICKLE, also attended the dedication. Dr. Norman Hackerman, Chairman of the National Science Board and president of Rice University addressed the group and I submit his remarks to you, my fellow members of Congress and the general public. I would also like to submit the press release from the National Science Foundation, that describes this most important scientific facility.

Dr. Hackerman's remarks and the release follow:

REMARKS BY DR. NORMAN HACKERMAN

I appreciate the opportunity of being present, with the other Members of the National Science Board and our friends and colleagues, at the dedication of the new South Pole Station.

There is a feeling of special achievement on seeing this modern research facility at the bottom of the world. With only a short exposure to the temperature today, I can appreciate the efforts that must have gone into moving the cargo, assembling the materials, and building this Station.

In recognition of the efforts and dollars invested and the continuing needs of mankind, the next step is to ensure that future planning, funding, and the talents of our best scientists are directed toward taking maximum advantage of this investment. By this, I mean scientists from many nations, those people whose understanding and insight can use these facilities to best advantage to learn more about the world in which we live and the forces that affect it. It seems particularly appropriate that a station located at the southern axis of the world, where the meridians radiate northward and touch all lands, all oceans, and all peoples, should be international in character and scope.

It is impressive also to be here on the Antarctic Continent in the middle of an ice age, on top of a two-mile-thick ice sheet, surrounded by thousands of square miles of ice in all directions. Sophisticated electronics and geodetic satellites passing overhead tell us our exact geographic position on this mass of ice. Measurements over the past two years reveal that the ice on which we stand is moving northward in the general direction of Rio de Janeiro at the rate of nine to ten meters per year. In addition, this new Station undergoes a phenomenon known as "pole wobble" in which the axis of the earth moves erratically over an area about the size of a baseball field. It has been suggested that this wobble represents the shift of material within the earth and that further research might provide the means of forecasting earthquakes. As yet, we neither know the explanation of this phenomenon nor understand many other things about this area. But this we do know: here is a facility which makes it possible for men and women to exercise their ingenuity and talents to make observations and carry out experiments to learn more about the world, environmental interactions, and the history of this Continent. We have every expectation that research in glaciology, meteorology, biology, and geophysics carried on here will better prepare mankind to meet the problems of the future.

I close with the expectation that this South Pole Station and the research carried on here will serve as a catalyst to extend further the spirit of international cooperation among all nations and to improve the quality of life everywhere.

CEREMONIES MARK OPENING OF NEW SOUTH POLE STATION

A large aluminum dome near a long, horizontal half-cylinder of corrugated steel rises from a flat, white, featureless snow plain that extends for hundreds of miles in every direction—all north.

It's the United States' new Amundsen-Scott South Pole Station, activated January 9 following four years of construction under often extremely difficult conditions. The new station, which this coming Antarctic winter will be home for 18 scientists and support personnel, replaces a station built in 1956 and now being crushed under 40 feet of ice and snow.

The new buildings, already showing a dusting of white from drifting snow, are built "upstream" from the south geographic pole, one end of the axis about which the Earth

rotates. Because the station is built on slowly moving ice, more than 9,999 feet thick, the flow of the ice will carry the station over the location of the pole in several years.

Studies conducted by scientists at Pole Station include: several projects aimed at obtaining information related to worldwide pollution, weather and climatological studies, upper atmosphere research, investigation of immunologic changes that take place in people in isolation, and monitoring of earthquake events as part of a worldwide network and for use in geophysical studies of the earth.

In ceremonies marking the formal opening of the station, Dr. H. Guyford Stever, Director of the National Science Foundation, read a letter from President Ford in which the President said, "The dedication of the new Amundsen-Scott South Pole Station is a rededication by the United States to the ideals of the Antarctic Treaty. By making the results of our South Pole research freely available, we reiterate our commitment to the objectives of the Treaty. By making our South Pole facility accessible to scientists of all nations, we reaffirm our devotion to the ideals of cooperation that are characteristic of Antarctica and that have extensively benefited mankind."

Dr. Stever gave special recognition to Mrs. Ruth Siple, widow of antarctic explorer Dr. Paul Siple, who was at the South Pole for the dedication. Dr. Siple, widely known for his antarctic studies, was the first scientific leader at Pole Station in 1956-57. Dr. Stever also paid tribute to the Navy's VXE-6 Squadron for its part in flying construction materials to the station, and to the Seabees of Naval Mobile Construction Battalion 71 for "their efforts and accomplishments under what may be the world's worst construction conditions."

The station construction was completed by Holmes and Narver, Inc., (H&N) Anaheim, California.

The new station was funded by the National Science Foundation and the U.S. Navy as part of the United States Antarctic Research Program. NSF funds, manages and coordinates the United States program in Antarctica. Under contract to NSF, H&N will maintain and operate Pole Station with a civilian crew.

Though Pole Station personnel who work outside are not normally subjected to very high winds, they do work in just about the world's coldest temperatures with a yearly average of 46 degrees below zero. Summer-time temperatures never top zero degrees and wintertime temperatures have been measured as low as minus 122 degrees. The lowest temperature ever recorded on earth, minus 127 degrees, was measured at Vostok, a Soviet antarctic station.

The large geodesic dome at South Pole station is 164 feet in diameter and 52 feet high. Within its protective cover are three two-story buildings that form the center of activity of the station. The three are: scientific spaces and living quarters; communications, library, and store; and combination dining hall and club facility, post office, photographic laboratory, and meeting space. Austral summer capacity of the station will be about 35 persons.

Other South Pole Station facilities are housed under sections of the 46-foot diameter corrugated steel arch that extends, with its connecting links, more than 800 feet. These include garage, shop, and recreation area; power plant and electrical shop; medical and biomedical facilities which also serve as dispensary and as a research laboratory; and fuel storage area. A 52-foot tower near the geodesic dome will be used for auroral studies.

DENNIS BANKS

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. BYRON. Mr. Speaker, the recent tragedy of a bus passenger here in Washington being killed while attempting to aid the bus driver represents a tale of heroism and, on a broader scale, a lesson for all of us.

Dennis Banks was shot while attempting to assist a bus driver in collecting a fare. His action in this situation showed that not all citizens are indifferent to the rule of law and a society based on mutual respect for the law.

I would like to share with my colleagues Lance Gay's article from the Washington Star-News on this tragedy and the great outpouring of appreciation from the District of Columbia Metrobus drivers:

DENNIS BANKS

(By Lance Gay)

After reading of the slaying of Dennis Banks, the 22-year-old passenger on a Metrobus who was shot after he tried to help a bus driver collect a fare, Walter F. Jones, another driver, said he felt impelled to do something in return.

"He was one person out of thousands—he did something," said Jones, a 46-year-old Metrobus driver. "We've got to get together and do something about this."

So last night, Jones traveled from depot to depot throughout the Metrobus system, putting up signs urging fellow bus drivers to turn out tonight in uniform at the Jarvis Funeral Home for Banks' wake.

"Most people on a bus these days just don't want to get involved—you can't blame them—but here's a man who tried to do something and he was killed for it, and we have to show our appreciation for that in some way, somehow," Jones said.

Banks was shot to death Friday night after he went to the aid of a woman Metrobus driver who was trying to get a group of about six unruly youths to pay their fares. Police said the youths got on the bus at 7th and U Streets NW and refused to put money in the cash box. The driver stopped the bus near the intersection, and demanded that they pay their fares before the bus proceeded.

Banks and other passengers told the youths to pay their fares so the bus could get underway and a fight broke out that spilled out of the bus and onto the street, where Banks was fatally wounded.

Several callers who read about the incident in the Star-News, called the newspaper last night offering help to the family. One unidentified young woman urged stepped-up efforts to get handguns off the streets.

"How many fine young people like Mr. Banks must die before the politicians do something," she said, asking what she could do to stop similar incidents from happening in the future. "I feel so helpless," she said.

Jones, who said he has been beaten up and robbed during the 10 years he had been driving a bus in the Washington area, said he felt the same helplessness.

"As a driver, you sit there and you ignore things like people not paying fares. You decide to leave things alone," he said. "I've had people refuse to put anything in the box and I've had people put toilet paper and ticket stubs in and there's nothing you can do."

"You know that the passengers won't back you up if you protest. Most people on a bus just don't want to get involved. But then there's someone like this—he did something and the bus drivers have to get together to do something for him."

George Davis, president of the Amalgamated Transit Union, Local 689, said the shooting incident was brought up at a regular meeting of the bus drivers' union last night. Union leaders voted to send flowers to the funeral home and also promised to send a delegation of drivers to the 7:30 p.m. wake.

"We felt that we have to recognize, in some manner, that the drivers appreciate people's help and a man's effort like in this unfortunate situation," Davis said.

PROTECTING THE CIVIL AND CONSTITUTIONAL RIGHTS OF PROFESSIONAL ATHLETES

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. SEIBERLING. Mr. Speaker, 13 other Members are joining me today in introducing H.R. 2355 to protect the civil and constitutional rights of professional athletes. This legislation would prohibit a web of invidious practices which team owners and league officials in various sports have instituted to prevent athletes from contracting freely for their skills and services.

At the center of this web is the notorious reserve system, which reserves to a player's team the rights to his services until the team trades him or gives him an unconditional release. Owners are able to keep athletes from negotiating with other teams by group enforcement of league antitampering rules and of the well-known reserve clause, which owners insist be included without modification or exception in every player's contract. Leagues prohibit participation by players who have not signed a standard player contract which binds the player to league rules written by the owners.

Owners also engage in concerted group boycotts when they blacklist or refuse to deal with players who want to switch teams or otherwise challenge the owners' established order. In addition, many sports have a ransom rule or Rozelle rule whereby a team must be adequately compensated by a second team whenever an athlete plays out his option with the first team and signs with the second. This type of regulation deters free negotiation and penalizes any team which dares to acquire the property of another team.

In the 1972 case involving Curt Flood, the Supreme Court recognized the serious antitrust implications of baseball's reserve system, but the Court held that only Congress could overturn the antitrust exemption which the courts had created for baseball but for no other professional sport. This past December, in the private lawsuit brought by Joe Kapp, a Federal district court held that professional football's reserve system, along with other practices enforced by

team owners and league officials, constitute illegal restraints of trade in violation of the Nation's antitrust laws. H.R. 2355 would prohibit these practices in baseball, football, and other professional team sports.

Below are portions of the Kapp decision, necessarily excerpted because of space limitations:

PORTIONS OF THE "KAPP DECISION"

Kapp v. National Football League, — F. Supp. — (No. C-72-537) (N.D. Cal. Dec. 20, 1974) (Sweigert, J.).

Plaintiff Joe Kapp brings this suit against the defendants National Football League (NFL), its Commissioner Pete Rozelle and its 26 member professional football clubs and other related defendants, alleging antitrust conspiracy and monopoly among defendants, whereunder defendants in July, 1971, caused his discharge by the New England Patriots with which he claims to have had an October 6, 1970 contract to play for the 1970, 1971 and 1972 seasons for a stated compensation of \$600,000, alleging, further, that defendants, in effect, drove plaintiff out of professional football in the United States . . .

While Kapp was with the University of California and a prospective professional player, the Washington Redskins "drafted" him pursuant to a so-called "selection" or "draft" rule, embodied in the NFL Constitution and By-Laws, Section 14.3(A) and 14.5, providing that at a Selection Meeting of the NFL Clubs, held annually in January or February, each club participating therein can select prospective players of its own choice; the selecting club will have the exclusive right to negotiate for the services of each player selected by it and placed on its Reserve List—even if the selecting club's offer to the prospective player might be unacceptable and even if the selecting club makes no offer at all, no other league club may negotiate with him without the consent of the selecting club.

The NFL Constitution and By-Laws, Section 9.2 also contains a so-called "tampering" rule which provides that if a member club shall tamper, negotiate with or make an offer to a player on the active, reserve or selection list of another club, then the offending club, in addition to being subject to all other penalties provided in the NFL Constitution and By-Laws, shall lose its selection chance in the next succeeding selection meeting, in the same round in which the affected player was originally chosen and, if such offense was intentional the Commissioner shall have power to fine the offending club and may award the offended club 50% of the amount of the fine imposed by the Commissioner.

When the Washington Redskins made no satisfactory offer to Kapp, he went to the Canadian Football League and played there for seven years (1959-1966) during which period the Redskins kept him on their reserve list until April, 1966 and thus barred other NFL Clubs from negotiating with him . . .

In January, 1971, the Patriots, acting pursuant to the NFL Constitution and By-Laws and at the direction of the Commissioner, sent Kapp a form of Standard Player Contract but Kapp refused to sign it. This Standard Player Contract is required by the NFL Constitution and By-Laws, Sections 15.1 and 15.4, to the effect that all contracts between the clubs and players shall be in the form adopted by the member clubs of the league, each club to have the right to modify such standard contract but subject to the right of the Commissioner to disapprove any such modification which is in violation

of the Constitution and By-Laws or if either contracting party is guilty of conduct detrimental to the league or to professional football.

The Standard Player Contract (Pars. 4, 6 and 11), so required, provides that the player becomes bound by the Constitution, By-Laws, Rules and Regulations of the league and of his club, including future amendments thereto and to the discipline of the club—subject only to the right to a hearing by the Commissioner whose decisions shall be final and unappealable.

The Standard Player Contract, Par. 10 also contains the so-called "option" rule which gives the employing club a unilateral option to renew the contract for a further term of one year at a reduced rate of compensation, i.e., 90% of the amount paid by the player in the previous year—the purpose of this rule being, according to plaintiff, to coerce the player to sign a new contract on the owner's terms under peril of having to serve another year at the reduced compensation . . .

PLAINTIFF'S CONTENTIONS

Plaintiff contends that the foregoing rules contained in the NFL Constitution and By-Laws, i.e., the so-called "Draft" rule, the so-called "Tampering" rule, the so-called "Option" Rule, the so-called "Rozelle" or "Ransom" Rule, the "Standard Player Contract" Rule, and the rules vesting the power to make final interpretations and decisions in the Commissioner constitute a combination among defendants to refuse to deal with players except under the above stated conditions—in effect a boycott or blacklist—and as such a per se violation of the Sherman Act.

Plaintiffs further contend that, apart from the per se rule, the combination is illegal even under the "rule of reason" because the restraint obviously goes far beyond what would be reasonably necessary to achieve the business goals involved . . .

THE ANTITRUST ISSUE—CONCLUSIONS

[W]e are of the opinion that for reasons to be hereinafter set forth it is not necessary to rest our decision in this pending case on an application of the per se rule . . .

In our pending case and in similar cases the only alleged anti-competitive practice is joint club enforcement, through the league, of player-employee contracts whereunder the player agrees to accept and the clubs agree among themselves to enforce certain restrictions on the player's right to freely pursue his trade with other club-employers and the clubs yield to that extent their free choice to employ.

There is a well-settled rule of contract law that employer-employee contracts, restricting an employee's right to freely pursue his trade, may be illegal as against public policy if, but only if, the restraint is unreasonable, taking into consideration the nature of the business, the duration of the restraint, the area in which it operates, the situation of the parties and all circumstances bearing on whether the restriction in such only as to afford fair protection to the interests of the employer without imposing such an undue hardship on the employee as to interfere with the public interest.

We have in mind, of course, that when two or more club employers agree through league rules that individual player-employees, who violate such individual club-employee contracts will be in effect boycotted by all member club-employers, the situation goes beyond mere employer-employee contracting and falls within the antitrust law per se prohibition of combinations not to deal—even though the reasonableness test would have been applicable to the individual player contract . . .

[W]e conclude that in this particular field of sports league activities the purposes of the antitrust laws can be just as well served (if not better served) by the basic antitrust reasonableness test as by the absolute per se test sometimes applied by the courts in other fields.

In applying the reasonableness test we have in mind that the issue of reasonableness is ordinarily in such genuine dispute that a case cannot be resolved on a motion for summary judgment and must go to full trial of that issue.

However, in the present case, league enforcement of most of the challenged rules is so patently unreasonable that there is no genuine issue for trial.

The "Ransom" or "Rozelle" rule, provides in effect that a player, even after he has played out his contract under the option rule and has thereby become a free agent, is still restrained from pursuing his business to the extent that all league members with whom he might otherwise negotiate for new employment are prohibited from employing him unless upon consent of his former employer or, absent such consent, subject to the power of the NFL Commissioner to name and award one or more players to the former employer from the active reserve or selection list of the acquiring club—as the NFL Commissioner in his sole discretion deems fair and reasonable.

A conceivable effect of this rule would be to perpetually restrain a player from pursuing his occupation among the clubs of a league that holds a virtual monopoly of professional football employment in the United States.

We conclude that such a rule imposing restraint virtually unlimited in time and extent, goes far beyond any possible need for fair protection of the interests of the club-employers or the purposes of the NFL and that it imposes upon the player-employees such undue hardship as to be an unreasonable restraint and such a rule is not susceptible of different inferences concerning its reasonableness; it is unreasonable under any legal test and there is no genuine issue about it to require or justify trial.

Similarly, the draft rule is also patently unreasonable insofar as it permits virtually perpetual boycott of a draft prospect even when the drafting club refuses or fails within a reasonable time to reach a contract with the player.

Similarly, the so-called "one-man rule," vesting final decision in the NFL Commissioner, is also patently unreasonable (particularly where considered in the light of principles of impartial arbitration embodied in the Federal Arbitration Act, 9 U.S.C. § 1-14, and underlying the decision of the Supreme Court in *Commonwealth Corp. v. Casuality Co.*, 494 U.S. 145 (1968)), insofar as that unilateral kind of arbitration is used to interpret or enforce other NFL rules involving restrictions on the rights of players or clubs to free employment choice.

Similarly, the tampering rule and the Standard Player Contract rule are also patently unreasonable insofar as they are used to enforce other NFL rules in that area.

The Option Rule, which appears only in the Standard Contract (Par. 10), gives the club an option for one additional year of service at 90% of the contract salary unless otherwise agreed. Since NFL rules leave the matters of duration and salary to free negotiation between players and clubs, this lone prescribed option provision cannot be said to so extend the original term and salary as to render it patently unreasonable; its legality cannot, therefore, be determined on summary judgment.

However, it is not necessary to hold that NFL league enforcement is illegal as to all restrictive employment or tenure rules; it is

sufficient if we can determine on summary judgment the illegality of league enforcement of one or more such rules to the detriment of plaintiff.

It remains, therefore, only to determine whether NFL enforcement of the rules which we have held to be patently unreasonable and illegal can be deemed to have been the cause or at least one of the causes of injury to plaintiff.

We have in mind that the record here shows that the immediate cause of plaintiff's discharge by the New England Patriots was his refusal to comply with demands that he sign the Standard Player Contract.

However, as already explained, signing of the Standard Player Contract (including its paragraphs 4, 5 and 6) would bind a player to the whole NFL Constitution and By-Laws which, in turn, include the rules herein held to be illegal.

As already indicated, we are mindful that it may be held on review that application of the *per se* test renders NFL enforcement illegal as to all restrictive employment or tenure rules—regardless of reasonableness for sports league purposes. If so, such holding could be made on the present record without trial or further proceedings.

HOW TO AVOID ANTITRUST

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. HEINZ. Mr. Speaker, last year the President signed into law a bill to increase the criminal penalties for violations of the antitrust laws. Violations of those laws could always cause serious injury to the public by limiting competition and raising prices and now there are serious penalties for those who disregard the antitrust laws. I supported the increased criminal penalties and I expressed my hope that they would deter violations and never need to be imposed. It is not enough to just hope, however. I am concerned that some businessmen may not be able to afford expensive legal counsel and may violate the antitrust laws without even knowing they have done anything illegal.

Although I am sure the prosecutors and the courts will use some common sense and not deal with the unwitting violator in the same way as they would with the violator who knows the law, I think it is our duty in Congress to help explain the law to businessmen so that they do not inadvertently violate it. For this reason I am inserting in the CONGRESSIONAL RECORD an article from the January 27, 1975 issue of Business Week which tells what counsel for major corporations are now telling their clients about the antitrust laws.

This article should provide some help for businessmen. I am also asking the Justice Department to prepare a booklet to explain the antitrust laws to the small businessman, in addition to completing the consumer explanation promised by the Attorney General last year.

HOW TO AVOID ANTITRUST

As the federal government gets tougher on corporations and corporate executives caught up in antitrust cases, more and more companies are mounting elaborate campaigns to teach their employees precisely what the

Sherman and Clayton Acts outlaw—and to get across the message that the management suite really wants those laws obeyed.

What corporate lawyers and top managers fear is having their company dragged into an antitrust suit by the actions of a subordinate. The costs of violating the law can run high. The Justice Dept. now routinely seeks jail terms in price-fixing cases, and just last month Congress made such convictions felonies rather than misdemeanors. Fines, moreover, can now run to \$1-million per violation.

"We rattle the jail door a bit," admits one corporate counsel in describing how he wins support at the top for new anti-antitrust programs. The danger to managers is real enough. Executives of International Paper Co. and Diamond International Corp., for example, were recently handed jail terms in a paper-label price-fixing case in California, although the sentences were suspended in return for their lecturing on antitrust to business and civic groups. Criminal penalties were also imposed in antitrust cases last year against individual executives of H. K. Porter Co., an Illinois beer distributor, against several Arizona bakers, and against such corporations as Du Pont, Ciba-Geigy, American Cyanamid, and Armco Steel.

A BIG ISSUE

"Antitrust compliance is just about the most important responsibility that a corporate law department has to discharge," says George A. Birrell, general counsel of Mobil Oil Corp. And Du Pont lawyer Charles Welch says that he sees signs of "a new antitrust emphasis."

TRW, Inc., last year issued a 22-page antitrust guide, its first, and company lawyers began delivering lectures on the subject specifically tailored to the company's various operations. And one big West Coast manufacturer will hold antitrust seminars this year for the first time in each of its 20 divisions. The seminars will follow up a 20-page summary of do's and don'ts of antitrust distributed four months ago to 500 employees. "I wanted to make sure that anybody who has any decision role whatsoever understood the basics of antitrust policy," explains the company's corporate counsel. "Even an engineer who might approve a vendor needs to know the pitfalls." Every recipient was required to sign a letter saying that he had read and understood the policy.

"If you don't comply with this policy, you will be fired," says the house lawyer. "That's all there is to it."

Some companies are going beyond booklets in an attempt to bring home to employees the subtleties of the anti-trust laws. International Business Machines Corp. and 3M Co. have each made films about antitrust. Hercules, Inc., brought in Columbia Law School Professor Milton Handler, a crowd-drawing speaker at bar meetings, to explain how words can mean one thing to a layman but something else to antitrusters. One New York-headquartered basic goods manufacturer has even worked out a programmed instruction course that asks salesmen questions about antitrust and tells them why wrong answers are wrong. And the Pratt & Whitney Aircraft division of United Aircraft Corp. recently brought 350 field service representatives to its headquarters for a series of lectures on antitrust given by both staff lawyers and experts from the big New York City firm of Shearman & Sterling.

GIVING ANSWERS

It is common in many companies for staff lawyers to show up at virtually every sales meeting, both to make formal antitrust presentations and to handle questions privately at the bar or on the golf links. One company learned that many of its salesmen were finding mysterious little slips of paper in their pockets after industry meetings, tell-

ing what a competitor was charging a particular customer for a particular item. The advice from the lawyers: If you want to use the information to underbid, go right ahead, but be sure you did nothing to solicit it.

At Celanese Corp., which is currently updating the bulletins that spell out its antitrust rules, general counsel Robert A. Longman says he fields many questions about whether a distributor can be dropped because he pushes a product outside his assigned geographic area. The answer: No, if that is the only reason you want to shed him, but yes if his efforts outside his territory mean he is not meeting sales goals in the market for which he is primarily responsible. Forbidding him to sell in certain areas is an antitrust violation.

Salesmen are the employees most likely to slip inadvertently into antitrust hot water, but company education programs are being expanded to cover personnel in almost every aspect of corporate life. An Eaton Corp. booklet, for instance, warns all corporate insiders that "disparagement of a competitor's product" could be taken as evidence of a plan to monopolize.

Purchasing agents come in for special antitrust scrutiny. They can break the law by demanding a lower price than competitors are offered, by obtaining a scarce commodity through threats of not selling an equally short item to the vendor, or by buying a company's entire output.

JUST ENOUGH

Companies do not aim to make their people experts in antitrust laws. As Exxon Corp. associate general counsel Kenneth Roberts puts it, "The primary purpose of the indoctrination is to get enough awareness of the antitrust laws so the employees will know when to go and get legal advice."

Company lawyers gauge the success of the education programs at least in part by the quantity and quality of the questions that come in. "There isn't a day that passes without us getting some calls and questions," says Luther C. McKinney, Quaker Oats Co. vice-president. "And they're good calls, about questionable areas and new trends and how these will impact on their decisions." A recent hot topic, relating to illegal rebates, he says, concerned whether a company like Quaker Oats that uses a price including delivery cost should discount that price for customers picking up the product themselves.

It is not just a case of waiting for questions, of course. "When we find problems in a contract, we go over it together," McKinney explains. "At that point we accomplish part of our educational program as well as prevent a specific violation." Last month, a Celanese lawyer who handles the fibers division read a trade press news story about overcapacity in the industry and fired off a memo to executives reminding them that it would be clearly illegal to attempt to cure the overcapacity problem by getting all producers to agree to limit production.

SUPERCAREFUL

Many companies try to spotlight the areas of obvious violation—practices that cannot in any way be justified by circumstances. General Mills, Inc., launched a campaign involving manuals and seminars when the lawyers began worrying that the company's defense of acquisitions and marketing policies under attack by the Federal Trade Commission might be interpreted by some employees as condoning other practices that clearly were violations.

"We didn't want our employees to get the idea that because of uncertainties in some areas of antitrust there was uncertainty in all areas," explains Vice-President John F. Finn. "We want to give them the conviction that in some areas, like price-fixing, there isn't any doubt that it is illegal."

Many of the corporate programs are intended not only to instruct but also to scare

and cajole employees into strict adherence to the law, even when the pressure is on. "The natural tendency of two people who get together is to set prices," the top lawyer for one manufacturer says. "One of the greatest pressures on an employee is to be a nice guy. You've just got to keep the chastity belt on."

Many companies warn employees to leave fast if industry meetings turn to discussions of pricing. "If prices ever do come up, get out of the room," Hercules general counsel Charles S. Maddock advises executives.

Some companies go even further, telling the employees to deliberately create an incident or disturbance, like knocking over a chair or a glass of water so that everyone there is aware he is leaving the room. "We simply say never be in a position where you can't honestly testify that you have never discussed prices with competitors," says Maddock.

Often chief executives step in to reinforce the policy. "At staff meetings," says Finn of General Mills, "our chief executive reiterates the theme that needs constant pounding—that price-fixing is a poor excuse for lack of management imagination and that anyone doing it will be booted out."

BOARD INTEREST

Surveillance of the compliance program is sometimes carried out at an even higher level. Celanese's Longman must report to an audit committee of the board of directors before its April meeting each year on how many of the company's 5,000 or so key employees have signed certificates stating they have read and understand the antitrust policy. In 1974 all the key employees complied.

And at Exxon, the policy statement itself comes from the board, with an unequivocal clause stating that the policy cannot be overridden by supervisors or managers. The legal department gives the board a direct report on the compliance effort.

PPG Industries, Inc., is one company that can point to solid results from its extensive program of documenting every price change. The program was started after PPG, like other flat glass producers, settled an antitrust case with a 1948 consent decree. PPG went into court in 1973 with the detailed compliance program and was able to get the consent decree loosened.

"But for our compliance program," says a PPG executive, "it would have been most unlikely we would ever have gotten the modifications."

TEN DON'TS OF ANTITRUST

Warnings that companies most frequently issue to employees to keep them in compliance with antitrust laws:

1. Don't discuss with customers the price your company will charge others.
2. Don't attend meetings with competitors (including trade association gatherings) at which pricing is discussed. If you find yourself in such a session, walk out.
3. Don't give favored treatment to your own subsidiaries and affiliates.
4. Don't enter into agreements or gentlemen's understandings on discounts, terms or conditions of sale, profits or profit margins, shares of the market, bids or the intent to bid, rejection or termination of customers, sales territories or markets.
5. Don't use one product as bait for selling another.
6. Don't require a customer to buy a product only from you.
7. Don't forget to consider state antitrust laws as well as the federal statutes.
8. Don't disparage a competitor's product unless you have specific proof that your statements are true. This is an unfair method of competition.
9. Don't make either sales or purchases conditional on the other party making recip-

rocal purchases from or sales to your company.

10. Don't hesitate to consult with a company lawyer if you have any doubt about the legality of a practice. Antitrust laws are wide-ranging, complex, and subject to changing interpretations.

PUBLIC SERVICE EMPLOYMENT FUNDS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. DOMINICK V. DANIELS. Mr. Speaker, I have today received notification from the Department of Labor of the final allocation of \$787.5 million in public service employment funds to State and local governments who are prime sponsors under title I of the Comprehensive Employment and Training Act.

Allocation of these funds is an important and sorely needed step in putting many of the unemployed into jobs—taking people out of the lines of the unemployed and giving them work and pay checks.

However, this is only one step. More action is urgently needed. Unemployment rates are climbing at alarming rates. There are predictions that the national rate may climb to 8 percent or higher within the next few months.

Hardest hit are the Nation's highly industrialized centers with soaring unemployment figures, long lines of the jobless waiting for compensation and thousands of others vying for far too few public service employment slots.

Statistics are only one side of the story—the impersonal facts. Beneath these numbers is the real tragedy facing millions of Americans trying to cope—and in all too many cases being unable to cope—without their accustomed income.

Promises, I stress, are not pay checks. Hollow rhetoric will not put dollars into the pocketbooks of the unemployed. I intend to move quickly with new legislation to create more public service jobs and provide more Federal moneys to assist States and localities in their efforts to provide work for America's unemployed.

The list of allocations for New Jersey, New York, Connecticut, Maine, Massachusetts, Rhode Island, Vermont, and New Hampshire with the covering announcement from the Labor Department follows. Reports on the other States will follow in the next few days.

CETA TITLE VI FINAL ALLOCATION

Attached is the final allocation of \$787.5 million in public service employment funds to state and local governments who are prime sponsors under title I of the Comprehensive Employment and Training Act. These funds are the part required by the statute to be allocated to prime sponsors out of an \$875 million appropriation passed by the Congress last December.

This allocation updates an interim distribution made in early January which provided start-up funding of \$250 million and planning estimates for the balance to all prime sponsors. The start-up funding was

designed to provide all sponsors with resources for immediate hiring. The planning estimates were intended to provide guidance to the prime sponsors in the development of their complete public service employment programs under title VI, and did not represent a commitment by the Department to provide funding at the level specified. The final allocation is based on unemployment data for the period from September to November, 1974. The earlier allocation contained data only through October. You may note that the final allocation differs from the planning estimate, and that, in a few cases, the difference is significant. This change is the normal and expected result of the impact of November unemployment data, and of the redefinition of areas of substantial unemployment required by the Congress and used in one part of the allocation formula affecting 25% of the funds.

The balance of the appropriation (\$87.5 million) will be used by the Secretary to provide funding to areas which experience significant increases in unemployment subsequent to November and which have demonstrated the capability to utilize the funds effectively and quickly. The allocation of these funds will be made when data become available for the later periods.

Final title VI allocation

Region I.....	\$66,570,141
Connecticut.....	14,182,592
Bridgeport Consrt.....	2,534,980
Bridgeport.....	1,325,768
City of Milford.....	403,455
Fairfield Cty.....	271,617
Hartford Consrt.....	2,396,157
Hartford.....	1,356,528
City of East Hartf.....	88,671
City of West Hartf.....	84,130
New Haven Consrt.....	1,917,796
New Haven.....	1,084,943
West Haven Cty.....	293,202
Stamford Consrt.....	566,642
Stamford.....	410,338
Greenwich Cty.....	156,304
Waterbury Cty.....	892,783
Balance of Conn.....	5,874,234
Bristol Cty.....	405,522
Danbury Cty.....	137,297
Meriden Cty.....	422,723
New Britain Cty.....	543,897
Norwalk Cty.....	361,712
Maine.....	3,867,261
Balance of Maine.....	3,867,261
Portland Cty.....	277,535
Massachusetts.....	40,440,855
Boston.....	5,464,379
Emhnda Consrt.....	2,246,040
Cambridge.....	857,732
Arlington.....	234,652
Somerville.....	773,241
New Bedford Constr.....	1,719,750
New Bedford.....	1,000,620
Springfield Constr.....	2,924,005
Springfield.....	1,192,417
Chicopee Cty.....	413,908
Holyoke Cty.....	411,106
Worcester Constr.....	1,340,611
Worcester.....	1,076,187
Lowell Constr.....	2,067,805
Lowell.....	1,045,882
Balance of Mass.....	24,678,175
Brookline.....	258,470
Brockton Cty.....	765,531
Fall River.....	679,604
Framingham.....	228,389
Lawrence Cty.....	536,483
Lynn.....	716,934
Malden.....	360,500
Medford.....	342,581
Newton.....	410,590
Pittsfield Cty.....	445,905
Quincy.....	598,651
Waltham.....	322,694
Weymouth.....	234,712
New Hampshire.....	1,427,606
Granite State Constr.....	1,427,606
Rockingham.....	205,745

Strafford Cnty.....	\$223,310
Hillsborough Cnty.....	113,411
Manchester Cnty.....	141,726
Nashua Cnty.....	77,531
Cheshire Cnty.....	82,800
Grafton Cnty.....	161,272
Merrimack Cnty.....	109,145
Bal New Hamp.....	312,667
Rhode Island.....	5,240,179
Providence.....	1,331,621
Balance of R.I.....	3,908,558
Cranston Cnty.....	238,103
Warwick Cnty.....	433,189
Pawtucket.....	550,522
Vermont.....	1,411,648
Balance of Vermont.....	1,411,648
Region II.....	145,716,176
New Jersey.....	36,618,848
Atlantic County.....	1,421,470
Hudson County.....	2,805,136
Bayonne Cnty.....	248,965
Union Cnty.....	647,448
Jersey City.....	1,570,588
Monmouth County.....	2,352,572
Middletown Twp.....	150,346
Essex County.....	1,697,673
Bloomfield.....	190,244
East Orange Cnty.....	429,418
Irvington.....	274,513
Newark City.....	3,629,925
Morris County.....	554,403
Parsippany-Troy Hl.....	69,527
Union County.....	913,577
Union Township.....	99,105
Elizabeth City.....	617,673
Middlesex County.....	3,294,055
Edison Township.....	297,385
Woodbridge Township.....	530,942
Bergen County.....	2,375,439
Passaic County.....	1,778,521
Clifton City.....	329,936
Passaic City.....	656,093
Paterson City.....	1,560,113
Mercer County.....	330,723
Hamilton Township.....	134,161
Trenton City.....	823,332
Cumberland County.....	1,206,847
Burlington County.....	1,898,140
Camden County.....	1,733,887
Cherry Hill Township.....	157,750
Camden City.....	1,185,624
Gloucester County.....	1,109,699
Ocean County.....	1,593,182
Somerset County.....	234,750
Balance of New Jersey.....	1,931,519
Cape May County.....	784,505
Hunterdon County.....	237,332
Salem County.....	250,397
Sussex County.....	363,639
Warren County.....	296,407
New York.....	81,498,107
Albany Csr.....	482,541
Balance of Albany.....	129,293
Colonie Town.....	71,158
Albany City.....	282,089
Rensselaer Cnty.....	240,796
Troy City.....	110,900
Saratoga County.....	296,414
Schenectady Cnty.....	318,228
Schenectady Cnty.....	218,943
Erie Csr.....	2,449,440
Bal of Erie Cnty.....	1,649,806
Amherst Town.....	191,132
Cheektowaga.....	327,429
Tonawanda.....	281,073
Buffalo City.....	3,940,051
Niagara County.....	1,749,917
Niagara Falls City.....	822,585
Broome County.....	399,019
Binghamton Cnty.....	244,411
Union Town.....	72,011
Chemung County.....	393,752
New York City.....	45,385,948
Rockland County.....	642,507
Clarkstown Town.....	97,077
Orange Town.....	78,208
Ramapo Town.....	210,537
Westchester Constr.....	1,256,166
Greenburgh Town.....	112,608
Mount Vernon Cnty.....	286,074
New Rochelle Cnty.....	145,262

White Plains Cnty.....	\$70,806
Putnam Cnty.....	84,832
Yonkers City.....	597,031
Nassau County Csr.....	2,491,566
Town of Hempstead.....	1,284,043
North Hempstead.....	334,035
Oyster Bay.....	462,626
Suffolk Cnty Csr.....	3,869,187
Twn of Babylon.....	508,901
Twn of Brookhaven.....	840,394
Twn of Huntington.....	232,467
Twn of Islip.....	531,034
Twn of Smithtown.....	134,211
Dutchess County.....	280,341
Monroe/Rochester.....	904,922
Balance of Monroe.....	205,971
Greece Town.....	53,343
Irondequoit Town.....	52,289
Rochester City.....	593,319
Oswego Cnty.....	620,161
Onondaga County.....	333,734
Syracuse City.....	500,988
Oneida County.....	894,001
Rome Cnty.....	181,251
Utica Cnty.....	440,887
Chautauqua Csr.....	545,663
Chautauqua Cnty.....	242,586
Cattaraugus Cnty.....	222,012
Orange County.....	834,761
St. Lawrence.....	375,257
Ulster County.....	544,037
Bal of New York.....	11,151,680
Cayuga Cnty.....	314,118
Clinton Cnty.....	415,557
Columbia Cnty.....	182,510
Fulton Cnty.....	313,921
Genesee Cnty.....	187,742
Herkimer Cnty.....	225,626
Jefferson Cnty.....	451,517
Livingston County.....	121,502
Madison Cnty.....	262,630
Montgomery Cnty.....	345,384
Ontario Cnty.....	198,631
Oswego Cnty.....	185,529
Steuben Cnty.....	337,548
Sullivan Cnty.....	415,560
Tompkins Cnty.....	165,923
Washington Cnty.....	202,791
Wayne Cnty.....	235,261

"SHINE ON"

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. DON H. CLAUSEN. Mr. Speaker, over the past few years, many of us in Congress have been actively involved in promoting the development of alternative energy sources, and in my judgment, we made real progress in the 93d Congress, particularly in the field of solar energy.

While last year's energy "crunch" was a major factor in spurring energy research and development efforts, there is no doubt in my mind that without the editorial support of the media, these efforts would not have gained the widespread public acceptance and support they did.

With this in mind, I am submitting the text of a recent editorial supporting our efforts to promote the development of solar energy, which was delivered by Alfred Racco, vice president and general manager of KGO Radio in San Francisco, Calif.

The editorial follows:

"SHINE ON"

Florida might argue with this, but we Californians like to think of our state as the

"sun state". We do, regrettably, have zones within our borders that are smog-ridden. But, in the main, we do live under the sun.

Therefore it's most appropriate that a Northern California Congressman, Don Clausen by name, is launching legislation in Washington to put solar energy to work as never before.

Clausen wants to see a national program to harness the sun's energy for conversion to electricity.

Whatever we may hope, KGO is convinced that California, along with the rest of the country, does face a long-term and critical energy crunch. And solar resources are smog-free and potentially unlimited.

So, as citizens blessed with more than our share of the sun's radiance, we Californians should send to Congressman Don Clausen a flood of supportive mail, to the House Office Building, Washington, D.C. to advance his worthy project.

If any state can benefit from the savings of solar energy, certainly that state is California.

WALTER HEBER WHEELER, JR.—MR. STAMFORD

HON. STEWART B. MCKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. MCKINNEY. Mr. Speaker, late last year a gentleman the Stamford Advocate appropriately characterized as "Mr. Stamford" passed from this life.

In Walter Heber Wheeler, Jr., the Stamford community was blessed with having one of those extraordinary people of whom we see too few in a generation. A humanitarian, a businessman, a yachtsman, a social activist, a pioneer; he was all of these and more, but above all, he was a friend to his fellow man.

In effect, Mr. Speaker, Walt Wheeler was a family man but his perception of that term is what set him apart from others, for while his beloved wife and children were at the center of his life, by his deeds he considered all of whom came in contact with him to be part of his family as well.

I think, Mr. Speaker, to more clearly identify Walt Wheeler for my colleagues, I should say the words "Pitney Bowes." He started with Pitney Bowes in 1919 as a sales representative and at the time of his death, he was honorary chairman and director emeritus after having served as president, chairman of the board, and chief executive officer, but those are mere titles for in truth, he was the firm's heart and soul for many, many years.

At the time of Mr. Wheeler's death, the current Pitney Bowes chairman of the board and president, Fred T. Allen, commented:

We can never forget Walter Wheeler at Pitney Bowes, for what we are is inseparable from what he was. Beyond his energy, acumen and leadership, he brought to his company and to everything he did the force of his conviction that mankind's obligation is, first and foremost, to mankind. No decision he made as head of Pitney Bowes was outside that context; no project of his public life was pursued in any other spirit. He was our friend, and he lives on in what we have learned from him.

And I would add, Mr. Speaker, that one could learn a great deal from him

for he was so willing to give. His professional charity associations are legion but that is not the total measure of this man for as his personal secretary, Ruth Meyer, recalled:

He took a personal interest in people's lives. When an ice storm cut off my heat, he brought me a heater and installed it himself . . . He was always there when you needed him.

Paul Brady, a Pitney Bowes employee, added:

I remember the Christmas my family had just moved and he came to our door in his raccoon coat with a Christmas wreath for us . . . A lot of things I taught my children I picked up from him. I never loved a man more.

In a recent edition of "PB News," Edith Daniell wrote a remembrance of Walt Wheeler. It speaks well of this great man and I include it in the RECORD at this point:

IN REMEMBRANCE: WALTER HEBER WHEELER, JR.

(By Edith Daniell)

The 55-year association of Walter Wheeler and Pitney Bowes ended with his death on December 11 at age 77. He had planned well, and the management of the company he built and loved had shifted to others some time ago. The transition was complete, and the separation peaceful.

He had begun, in the '20s, with a fight for the life of a new idea and a fledgling company, and had led the company to worldwide prominence on the strength of his own faith and dynamism. He had lived to know that his company was strong enough to solve its own problems and, independent of him, move on to new levels of growth and promise.

The Wheeler story had a happy ending. But he had not quite prepared us for a Pitney Bowes without his presence somewhere down the hall.

He was the symbol of a unique corporate character, forged out of his own convictions and energy in the early years of hardship and uncertainty. He believed:

That there is more to a business and a life than making a profit;

That integrity and courage are better than expediency and second-best;

That business policies must serve the rights and needs of people;

That corporate good citizenship is not incompatible with good business management, and that when it seems to be, there is something wrong with the management.

He was a civic leader, a philanthropist, an outspoken proponent of ideas of social justice that critics called "radical" and friends said were "ahead of their time." In the field of employee relations he was a true pioneer, earning national attention with:

An equal opportunity program that antedated fair employment legislation in Connecticut;

The establishment of profit sharing, stock purchase, and non-contributory retirement plans that were among the first offered in industrial employees;

The creation of employee-management communication pipelines (the CPR, jobholders' meetings) that are still rare in industry.

He encouraged managers and other employees to work for and give to their communities as individuals. He believed that people should have faith in themselves and each other, and that the satisfaction and meaning of life lie in struggle and accomplishment. In the later years of his life, he repeatedly expressed his conviction that there was an inborn spiritual force in every person, and that mankind should not be cynical but instead take heart and fulfill its own divine potential.

He lived his ideals, working with sometimes incredible intensity for a staggering number of national and local organizations serving public needs or seeking solutions to socioeconomic problems. He was proud of his recognized success as a fundraiser, and as recently as 1969 served as national president of the United Community Funds and Councils of America.

He could not, perhaps, have been a successful politician. He would not compromise or "settle" when he believed he was right. He was never self-serving, and might have died richer if he had been.

Aside from his family, his great love was sailing, and this, too, he shared. Over the years, hundreds of PBers at every level of the organization were guests aboard the Wheeler racing yachts, the *Cotton Blossoms* through IV, or followed his exploits in the Bermuda races.

He was not an easy man to know. A dominant figure in any group, he was paradoxically shy with individuals, and people were often awed by his size and powerful presence. But to those who grew close to him, he was a warm friend whose kindness and concern had no limits. He loved trees and gardens, and kept a vigilant eye on the well-landscaped PB properties. He loved the celebrations and sentiment of Christmas, and for years supervised the selection and trimming of the PB holiday trees. He loved the comfort of a wood fire, and the beautiful working fireplaces he installed at headquarters 15 years ago were his pride and joy.

He was a complex man with extraordinary qualities of leadership; a great man who may have been greater than we deserved. But if few could give all that he gave, he nevertheless called forth from most of us more than we could have given without him. We have profited greatly from his vision and humanity, and it is hard to believe he is gone.

Mr. Speaker, further, I also include the Stamford Advocate editorial, "Mr. Stamford," in the RECORD:

MR. STAMFORD

Walter H. Wheeler Jr. was a man who had the sort of qualities people hope their children will have as they get older. He also was a businessman who brought credit to his profession.

His success story—he built Pitney Bowes into Stamford's largest industry—outweighs anything likely to be written about other corporate giants who were that but nothing more. Walter Wheeler was so much more than just a man good at his job.

True, he was an outstanding businessman. But unlike others, he was not uncomfortable with such phrases as "corporate morality." In fact, he helped coin them.

It was he who brought Pitney Bowes, his company for 55 years, into the limelight by putting into effect a social welfare program years before the enactment of legislation guaranteeing fair employment practices.

Walter Wheeler cared for his community, too. An expert fundraiser, he gathered about \$8 million for Stamford Hospital, not to mention other worthy projects.

Stamford was home to Walter Wheeler and he loved this City dearly. But perhaps his greatest love, and one that he always seemed to have too little time to indulge in, was competitive sailing. We think of him fondly, sailing in his *Cotton Blossom IV*, seeking to add another trophy to his collection.

For half a century, Walter Wheeler has deserved the title of Mr. Stamford.

Lastly, Mr. Speaker, I would ask that you share with me the thoughts of some of his friends:

Walter Wheeler was a big man with an outsize frame and a zest for living to match it. He had brains, energy, ideas, enthusiasm, drive, courage, integrity, high ideals and, above all, compassion for his fellow man and

a great heart. . . . His concept of life was one of total immersion in everything he did, from the building of Pitney Bowes to the raising of funds to help make the Stamford Hospital one of the finest community hospitals in the nation. . . . In this total immersion process, he sometimes knocked a few heads together and bent a few noses, but he got the job done. The fact that not everyone loved him as we do never deterred him if he felt his course was correct and the goal worthwhile.—John O. Nicklis, PB director and former chairman.

I believe this man has done more for working people than anyone in management in the country. Other companies are just beginning to catch up with his idea. He always thought about how things would affect other people. . . . On the boat trips, he would sit down and talk to every one of us as if we were company officers. He listened, and everything was out in the open.—Jack Betts, Main Council CPR co-chairman, Stamford.

He was fantastic . . . the most astute businessman I ever met; the complete salesman. After all, he sold the metered mail system to Washington. . . . He was all man, and righter than anybody else.—Gus Creter, New York (Uptown) branch manager.

I remember when he said, years ago, that people who give their lives to a company as employees have a stake in the business just like shareholders. It was the first time I had ever heard anything like that. . . . You begin to look at your people in a different light.—Harry Holmes, Atlanta branch manager.

He put his whole heart into whatever he did. He realized he had some advantages others didn't have, and felt it was his obligation to put those advantages to work helping people. . . . He took a personal interest in people's lives. When an ice storm cut off my heat, he brought me a heater and installed it himself. . . . He was always there when you needed him.—Ruth Meyer, Assistant to the retired directors and Walter Wheeler's secretary for 30 years.

As skipper of the *Cotton Blossom*, he was demanding but fair. Whatever he expected of the crew, he would do more himself. . . . I remember the Christmas my family had just moved, and he came to our door in his raccoon coat with a Christmas wreath for us. . . . A lot of things I taught my children I picked up from him. I never loved a man more.—Paul Brady, Steward aboard the *Cotton Blossom*; now PB dining room staff.

Once he took on a responsibility, nothing kept him from it. When a leg injury hospitalized him in the middle of a fund-raising drive for Stamford Hospital, he ran the campaign from his bed and went to the final report dinner in an ambulance. He told me he had learned in the first world war that courage didn't mean you weren't scared . . . and that when you take on leadership, courage is part of the responsibility. He inspired me more than any man I have ever known.—Jim Turrentine, Vice President-employee relations.

THE FUTURE HOMEMAKERS OF AMERICA—A 30TH ANNIVERSARY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. NATCHER. Mr. Speaker, some years ago I was made an honorary member of the Future Homemakers of America.

I considered it then, as I do now, one of the nicest honors ever given me. So it

is as a member in good standing that I speak to you today of the Future Homemakers; it is with an unabashed pride that I acclaim an organization which has done so much to prepare our Nation's young people for the demanding role of adulthood; and it is, I hope, with a becoming modesty that I tell you of the program's success.

FHA membership now stands at an impressive one-half million. The success of any organization, however, cannot be measured by numbers alone. It is better judged by the type of person its program attracts. The Future Homemakers are our young women and men who determined early that theirs should be a full life and a useful one.

There is of course no typical Future Homemaker. Members come from divergent backgrounds—the farm, the town, the urban area. They bring with them varied concerns. Each is an individual. There is among the members, however, a common interest in home economics and the jobs and careers related to this profession. Young people are drawn to the FHA program because it provides not only the opportunity but the encouragement to explore such areas as personal growth, family life, vocational preparation, and community involvement.

Though closely correlated with the home economics program in our secondary school the FHA program is not limited to purely educational goals; it is not confined to the classroom setting. It reaches beyond classroom instruction into the home and the community.

The Future Homemakers of America has had since its founding one prime objective—to help youth become successful adults. Recognizing that conditions and circumstances do change, leaders and cooperative groups welcome suggestions that would accomplish this goal. They are receptive to new approaches, new methods, and new ideas.

FHA members themselves decide upon their projects and activities. One result is that there are now two types of chapters. FHA chapters focus their attention on homemaking, family life and consumer education. This focus is combined with job and career exploration. HERO chapters, on the other hand, place major emphasis on job and career preparation. Members of both FHA and HERO chapters are taught to understand and effectively handle the multiple duties required of today's adult.

In chapters throughout our 50 States, the Future Homemakers of America are making plans to celebrate a rather special anniversary—their 30th. These young people are as concerned with the present as they are the future. They know that their country needs their strength and vitality now. They know that their efforts to improve the quality of our national life is appreciated. They know that by giving their best today, their own and America's future is assured.

Mr. Speaker, I am honored to be a part of the Future Homemakers of America and on this anniversary occasion I offer all my good wishes and my greatest respect.

MAINE EYES WOOD ALCOHOL AS FUEL

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. COHEN. Mr. Speaker, yesterday, the Washington Post reported on the innovative efforts of the Maine Office of Energy Resources to utilize 5 million acres of diseased timberland to produce wood alcohol, or methanol. As the article points out, methanol can be used as both a source of fuel for automobiles and for heating buildings.

In view of our critical need to develop alternative sources of energy, thus reducing our heavy reliance on imported oil, I am pleased to call to the attention of my colleagues this most interesting article.

[From the Washington Post, Jan. 27, 1975]

MAINE EYES WOOD ALCOHOL AS FUEL

(By William Claiborne)

AUGUSTA, MAINE.—Borrowing a fuel conservation device last used extensively by the Germans and Japanese during World War II, Maine energy officials are turning to wood alcohol as a future substitute fuel for automobiles, home furnaces and industrial power.

The source of the wood alcohol, or methanol, would be 5 million acres of diseased timberland in the northeast part of the state if a proposal sent to the state legislature last week is adopted.

Leaders of Maine's Senate and House said in interviews here that they leaned favorably toward including research funds for the methanol project in a spruce budworm disease control bill, provided there is some federal and private support.

Robert A. G. Monks, the millionaire director of the state's Office of Energy Resources, said he feels he has commitments from two Maine timberland firms to take part in the project, and that he will approach the Federal Energy Administration about supporting a pilot methanol plant.

A \$10 million pilot plant can be built in 18 months, at which time wood alcohol would be used in state-owned vehicles and for heating state buildings, Monks said.

Later, Monks said, methanol produced at a cost of 14 cents a gallon would be marketed commercially for use by Maine's 1 million residents who, according to studies, spend 20 per cent of their income on gasoline and home heating fuel.

A 15 per cent blend of methanol with gasoline can be used in unmodified automobiles, and the result is increased octane, more mileage and lower emissions, according to studies by the energy laboratory of the Massachusetts Institute of Technology.

Similar studies are under way at the Scripps Institute of Oceanography in San Diego, and six automobiles owned by the University of Santa Clara have been running on methanol and gasoline for several months with reported improved efficiency.

Thomas B. Reed, of MIT's energy laboratory said he has driven 22,000 miles in his 1969 Toyota and 13,000 miles in a Ford subcompact using a 10 per cent methanol blend.

When more than 30 per cent methanol is used, the two fuels tend to separate, studies have shown. Pure methanol can be used with fuel system modifications.

Oil industry officials have claimed in the past that methanol is inefficient and corrosive to automobile engines, a contention denied by Monks, who points out that oil

firms have an interest in maintaining use of petroleum.

Maine's proponents of methanol point out that in 1935 11 European countries consumed 180 million gallons of wood alcohol in 4 million vehicles, and that the Axis nations turned to it later in order to divert petroleum for use as aviation fuel in the war effort.

In Maine it is an act of desperation that stems from a compendium of unhappy circumstances—the geography of the state, its uncommon dependency on foreign petroleum, and recent national economic policy decisions.

Other factors that weigh heavily in Maine's concern over gasoline and heating fuel include the weather, a near absence of natural gas availability, domination of the automobile for want of mass transportation systems and an increasingly depressing economic outlook.

"You can't find a state with more dependency on oil than us," said Monks, 40, a lawyer and former oil distribution company president who was one of the applicants to build a refinery at the ill-fated Atlantic World Port in Machiasport five years ago.

Monks, a Republican who made an unsuccessful primary challenge against Sen. Margaret Chase Smith three years ago and hasn't talked much about a political career since, took the job as Maine's energy boss last summer. He set his salary at \$1 a year so he could hire as his technical expert Dr. Charles Berg, former chief engineer of the Federal Power Commission and a nationally recognized energy consultant.

"If we don't find an alternative fuel, we face the relentless prospect of being utterly without the capacity of helping ourselves—here the necessity of life in the coldest damn place imaginable is controlled by foreigners," Monks said in an interview.

"If we don't do something, we face two choices: don't take the fuel, or pay the price anybody wants to set," he said, noting that 86 per cent of Maine's energy resources is imported.

Buying foreign oil is nothing new to Maine, but what is different now is the cost to a state already skating on thin ice economically: between 1945 and 1972, a barrel of crude actually dropped from \$1.80 to \$1.69; now it is up to \$10.50 a barrel, and with the tariff imposed by President Ford it will go to \$13.50.

"The \$3 tariff is almost twice as much as we were paying for oil two years ago. Maybe some other parts of the country can absorb that, but New England can't, and Maine certainly can't," Monks said.

The average weekly wage in Maine is \$103 a week.

In its desperation, the state has considered other—more exotic—energy ideas, including chicken manure ingesters that create methane gas and the use of seaweed to develop methane.

As a measure of their concern, Maine officials even listened half seriously to proposals for windmills and odd perpetual-motion machines.

"We'll consider anything, because the prospects are so bleak. People may think we're smoking dope down here when we talk about some alternatives to petroleum, but we're serious," Monks said.

Monks and his small staff are particularly serious about methanol.

"One thing we have in Maine is trees," said Monks.

Ideally suited, he said, are the 5 million acres infested with the spruce budworm, a disease which, if not treated by annual spraying, leaves the trees useless for pulp manufacturing. The state spends \$6 million a year on spraying.

Under the energy proposal, a public firm called the Maine Woods Fuel Corp. would

establish methanol plants throughout the state. Chipping machinery would be set up in the forest, and the chips trucked out to the methanol plants for biological digestion into methanol. A large methanol plant can produce 2,000 tons a day.

Monks estimated that methanol, if used in a 15 per cent proportion nationally, would save a billion barrels of crude oil a day.

ONE FRIEND OF THE PRESIDENT

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mr. GINN. Mr. Speaker, a constituent of mine, Mr. George N. duMas, played a very active role in support of former President Nixon during last year's tragic events. An excellent article about Mr. duMas' efforts appeared recently in the Sunday magazine of the Atlanta Journal-Constitution and at the request of Mr. duMas and the organization he headed, I ask that it be included in the Record at this point.

ONE FRIEND OF THE PRESIDENT

(By Keith Coulbourn)

If President Richard M. Nixon survives his critics, he'll have George N. duMas of Savannah to thank.

Mr. duMas (pronounced DUE-mas) is leading a national write-in campaign for the beleaguered President.

It's a grass-roots revival, Mr. duMas says, made up not of organizations, not of big names, bigwigs nor celebrities particularly, but just plain people, ten million people, Mr. duMas says, who're fed up with the overblown charges against President Nixon and all the biased reporting.

In support of his cause, Mr. duMas has been on national television. A crew from CBS arrived in Savannah in two big Cadillacs and a huge van, talked to him a long time and then, apparently satisfied about his sincerity, trained three big cameras on him and got him sitting on a bench, walking through one of Savannah's lovely city parks and explaining his position. It ran six minutes, which is practically a "special." And more is planned, Mr. duMas said.

But if there's any hanky-panky, the CBS people told him, that would be the end of it. Bernard Goldberg of CBS told him that money was bound to be coming in through the mail and that a special bank account should be set up for it. This Mr. duMas has done under the name The President's Friends.

"Bernard Goldberg told me, 'I'm plugging for you,'" said Mr. duMas. "I'm making you a No. 1 national figure. We got word to do it. We don't know who's behind it, but we're doing it on you. But I can tear it down just as quick as we build it up if we find anything crooked."

Tear down George duMas? It's only an expression, of course, a figure of speech, but still it makes Mr. duMas smile. Bernard Goldberg was saying only that Mr. duMas was being made into a national figure and that he could be unmade the same way. But it's still a little funny because nothing probably could tear down Mr. duMas. He's impressed by big bankrolls, Cadillacs and the first-class treatment, sure. It's great. But when you've been tempered in the fires of cancer as Mr. duMas has, when you've lived so close to blinking out, you can't help but smile at the figurative use of such language.

And surely what added just a crinkle of

merriment to Mr. duMas' smile was the irony of it. Mr. duMas happens to be an undercover agent—indeed a spy—in an organization engaged in the investigation of alleged dishonesty in CBS news reporting. He's helping gather evidence to try to show that CBS is—or was during 1972—flagrantly biased in its newscasts and documentaries.

How much did Bernard Goldberg know about this? Perhaps nothing. Neither he nor Mr. duMas mentioned it. "Oh, I wanted to say something," Mr. duMas said. "Bernie was such a great guy, and really I wanted to tell him. But I looked over at my wife and she shook her head no, reminding me that I was still an undercover agent for those people and that I'd better keep it that way. So I didn't say anything about it."

Mr. duMas and his wife, Dorothy, live in a rooming house off one of Savannah's downtown parks. Mr. duMas in fact can open one of the windows of the room, lean out slightly and see the back of Gen. Oglethorpe's statue, that and the pigeons and the old folks hobbling around. But who cares about statues, pigeons and old folks when one can study the duMas room?

It's a good-sized room with a high ceiling and a fireplace, a room on the second floor of what once must have been a large, comfortable town house. Today, rented out room by room and despite the considerable effort to make it seem part of a glamorous yesterday, it's depressing. It's not just the gloom and shadows or the dull-spirited wallpaper and the dreary bathroom down the hall, it's the feel of life running out in the grubbliest of ways.

The only really lively thing about the duMas room was the wonderful mess. It looked as if a zephyr had just gone whirling through. Papers were everywhere. On the floor, on the bed and spread out on the mantelpiece, on the dresser and chairs, all kinds of papers: letters, photoprints, newspaper ads and clippings and manila envelopes chock-full of other papers. No books, though. Whoever made this mess had gone quite beyond the conventional struggle for approval and respectability.

Normally rooms like this are respectably grubby. Nobody can change that part of it. Gradually over the year they slip through one degree of dinginess to the next, and usually, as if to compensate, everything is meticulously maintained.

Not so the duMas room. It was of course dominated by the double bed standing proudly catercornered there by the window, soft-springy and puffed up, jiggling tensely at the slightest touch, the bed now nearly covered with letters, several rows of them lined up from headboard to foot. Hundreds of them. From everywhere. And each of them a cry of rejoicing for the opportunity to express their support for President Nixon.

"Here, look at this," said Mr. duMas, grabbing up a handful of them and showing them off. "Where's this one from?"

Without his glasses, apparently he couldn't read the address.

"Cincinnati, Ohio."

"Wow," he said. "What about this one?"

"Ridgeway, Va."

"And this one? Is it Alabama?"

"Bradenton, Fla."

"And where's this one from? Alabama?"

"Dothan, Ala."

"Chee!" he said. "See what I mean? They're from all over the place."

And it's true, including several letters from the President himself. Mr. duMas has never met or talked personally to President Nixon, but they've written back and forth several times, one of President Nixon's letters beginning chattily enough:

"While it's not possible for me to reply personally to all who have been so thoughtful . . ." and so on. Another of President Nixon's letters had the phrase "staunch support" and later, after Mr. duMas' campaign

began to pick up steam, "... you have stepped forward vigorously in my behalf. . . ."

A small gas space heater burned fiercely in front of the old fireplace, and atop a shelf off to one side of the room blared a portable TV set, the picture showing a bright young woman jabbering away like a magpie. Facing the TV set was a wicker rocking chair, and to one side of it was a small stand or an end table. It was covered with little objects and trinkets, a clutter of bottles and tubes, cold capsules, a glass jar of coffee and a loaf of bread.

If Mr. duMas were an ordinary man, you might look at his way of life and conclude that he was a bit down on his luck. But Mr. duMas is not an ordinary man. He'd enjoyed an ordinary and very successful life until Nov. 5, 1954, but then, when he was 37, his whole life changed. He had cancer.

He and his two brothers were orphans. Reared with all the conventional drives toward success at any cost, his brothers acquired doctorate degrees and achieved distinction in academic fields; George made money.

He's a promoter basically and smart as a whip. His organization, The President's Friends, is patterned after a similar group that grew out of the grass roots to defend J. Edgar Hoover and the FBI. That one was called Friends of the FBI, which collected tons of money and finally last November issued a 350-page report that cost \$75,000 to refute charges against Hoover. Mr. duMas, who seeks an opportunity and leaps in with both feet, says you don't need a doctorate for this sort of thing. If you've got good brains, you'll do okay with or without a doctorate. Especially Mr. duMas. He's one of those all-out people; all heart, his friends say, with a tremendous insight.

"In show business we call it the grick sense," he said. Or it sounded like "grick."

"Did you say 'grick' or 'Greek'?" he asked.

"Greet!" he said, louder this time but less distinct if possible than before.

"I'm sorry, but your mouth is faster than my ears. Did you say . . ."

"Crete!" he seemed to say.

"Crate? How do you spell it?"

"Spell it? I don't know how you spell it,"

he said. "It's like this: I could stand right there at the carnival and see 10 people come in and I'd know the third one coming in was the mark, you know? He's the one with \$100 in his poke. Put him on the side, I'd say, and maybe we can get it. So we'd put him on the side and keep talking to get the tater bag, you know, and—grit! It's a sense of direction with a person." He was slapping his hands together now like a carnival barker. "That's show business: the grit sense."

Grit sense! Of course. Shrewd native intelligence, an insight into people and knowing what makes them tick. That's what Mr. duMas has.

"Now I ain't s'posed to tell you this," he said, grinning and slipping into a countryfied role, "but that's show business and I been in it all my life."

He made much of his money during World War II and the Korean War. Mr. duMas was 4-F, and when all the cream of the nation's manhood was shipped overseas, as he describes it, he made money hand over fist. He organized Hollywood Studios of Washington, D.C., for instance. When hardly anyone could get film, Mr. duMas outfitted 18 girls with special cameras to walk down the street taking pictures of people. They snapped the pictures, then handed the subject a card that said:

"Your picture has just been taken by a professional Hollywood studio cameraman. See yourself with the art of Hollywood and the action of life."

Then it had an address for you to send your money in to.

It was almost irresistible in those days, and

Mr. duMas made so much money he could hardly count it. He enjoyed it, too. He drove Cadillacs and lived in a big house. The money came in by the tubful, he says. And during the Korean War, he and his crew of girls would walk on an Army base and within two hours they'd walk out with \$10,000. "I know you won't believe this," he said, "but we had people lined up for us—60,000 troops lined up in one day. We took so many pictures, the cameras broke down. The GIs were just throwing the money to us."

"A dollar?" they'd say. We'd give 'em six pictures for a dollar. 'Here,' they'd say, and toss us the money. 'Take it. I know I'm not coming back. I know I'm gonna get killed over there, so take it. But be sure my mama gets the picture.'

"Oh, it was heartbreaking," Mr. duMas said. "Heartbreaking."

And very profitable, of course. He got big rolls of film, 1,000 shots each, for \$3, he says, and soon, like many of the "world's greats" that he's corresponded with, he was quite rich. "I could walk into a nightclub at Virginia Beach and all over," he said, "and they'd say, 'Here comes the Greek! Here comes the Greek!' And then they'd show me to my table, a table they kept only for me."

Ah, what a life until the cancer. He'd been having a couple of bothersome little problems for a while, he said. He saw things double for a while and couldn't keep track of conversations. "I thought I had water on the brain or something," he said.

He went to the doctor and got the word: cancer in the third stage.

Mr. duMas was sitting on the bed amid the hundreds of letters. He shook his head, recalling that fateful day. "Cancer," he said. "But it couldn't happen to me. Never happen. Not to George N. duMas. You could get it. But me? No. Never. When the doctor told me that, I felt like I'd been hit with a shotgun blast."

Everything changed, of course. His whole life went out the window. He got rid of the Cadillacs and everything else that used to mean something to him. They couldn't help him now, he says. Doctors said they would operate on him but they had little hope. The priests came. "All the money in the world can't save you now," they told him. "Only a miracle in God can save you."

The doctors operated on Mr. duMas and five other cancer patients that day; only Mr. duMas survived. But it was to be a brief survival, for two weeks later he was given up for dead. The priest was called, a young man fresh out of Harvard, who performed the last rites as his first official act in Richmond.

But Mr. duMas of course lived on, and a couple of months later when he visited the young priest to talk about it, Mr. duMas told him what he'd been thinking, that life was not just for the collection of money and Cadillacs, it's for service to one's fellow man. Mr. duMas says he broke down then and started crying. He said through his sobs, "Let's get down here and pray for me. Don't let me get cancer again, father. I'm shook up."

"I know you are, George," the young priest said. Then he told Mr. duMas something that shaped his life from then on, that God had "something definite" for him to do.

"What is it?" Mr. duMas asked.

"I don't know what it is," the priest said, "but God has something big for you in life. You were as good as dead, no question about it, and you were saved because you have a mission to perform."

"Well, how will I know how he wants me to serve him?" Mr. duMas asked.

"He'll give you a sign," the young priest said. "You'll know. In the meantime, every good cause that comes down the pike, you do it because, my friend, you are living on borrowed time."

Everybody lives on borrowed time, of course, but the man who virtually returns

from the dead knows it. Wordly values are nothing anymore. Mr. duMas returned to his earliest values and has seemingly discovered the full meaning of certain old-fashioned words. The word "persistence" is one of them.

"That means not giving up," he said. "Back in Richmond, they call me the walking dead man. I was dead. But persistence paid off. Not giving up. Try and try again. The determination to win. How did I get to be the No. 2 man in the Loyal Order of Moose? Me No. 2 when there are so many college professors and educated men? Persistence! Persistence is the most dynamic ingredient of success."

"But you've got to believe in your cause," he said. "You've got to believe. You've got to believe."

Mr. duMas believes that he is the man who will save the President. "I feel in my heart," he said, "that I'm the man who's going to save the President of the United States. I will be the man to save him. I know I'm the man to save him. I know it. I've had dreams about it for a long time. What kind of dreams? Just dreams that I will save him. I'm the man to save Nixon."

That might sound odd to some of Mr. duMas' old friends because he was a Democrat until the last election. He was a Kennedy man, supporting Kennedy against Nixon when they squared off so many hundreds of years ago. Mr. duMas was also a liberal.

"But after I saw the '60's, I said, 'Wait a minute! Wait a minute! Spittin' on the flag?' That's what they were doing, you know. 'But I can't go that far.' Then they said, 'Damn the American soldier!' And they told the American soldier to turn against his own country. And I said, 'Wait a minute! Something's wrong here!'"

"Then I saw them take control of that party, the McGovern people did, and there was nothing we could do. We'd fire and fall back, fire and fall back, fire and fall back, but then they had it. When they came into power and slammed the door in my face and the face of the ex-governor of Virginia, then I decided to vote for Nixon."

"They slammed the door right in our face," Mr. duMas said. "They called us the Old Guard and threw us out. They didn't know that we're the ones who built up the damn party."

"In the '60's," he said, "it made us sick the way they carried on. Who was made sick? Seventy percent of the American people. They're the ones who supported Nixon. And mainly the Democrats. Listen! The Republicans did not put Nixon in. It was we Democrats who put him in. We put him in for patriotism. We would have voted for any man as long as he respected the flag, but the guys who surrounded McGovern—" He shook his head at the thought, as if to say "a fate so narrowly averted." "If McGovern had got elected, they'd have eaten him up."

Then Mr. duMas laughed and added: "And the very thing happened to poor Nixon, didn't it? Yeah!"

"So I'm neither Democrat nor Republican," Mr. duMas said. "I think it's too late in the game for that. I think it's time for all of us to call ourselves Americans. These labels confuse the issue, I think it's time for patriotism. If the constitution and the Bill of Rights are our birth certificates, then sure as hell we patriots are the insurance policy that guarantees that liberty."

"But what happened to that truth during the 10 years from 1960? All I saw," he said, "was negative, negative, negative. Programs (on television) where nothing was balanced with a little positive. It's not right to show only one side of it, but for 10 years all I saw was 'burn up the damn flag, burn up the damn flag, burn up the damn flag.' I wasn't brought up in that environment. I was brought up to respect the flag. Anybody hurt the flag, it brings tears to my eyes. I love the flag. And I'll be frank with you: I'll get down

on the floor now and kiss the flag. I love the flag."

And so do thousands of others, apparently. Those who respond to the small newspaper ads and Mr. duMas' television special seem to fall into an ever-widening group. Not just the blindest of right-wingers, the jingoists who say Nixon, right or wrong, as if he had a divine right and were above the law. Some are of that type, of course, probably the same number who make up the fanatical left.

More and more, though, as the nation's great propaganda machine grinds out less and less of substance, the right wing is being joined by those of the middle group, the letters seem to say, the so-called "silent majority," that sleeping giant of a middle America that normally has much better things to do than to bother with the folderol of politics. Not now, though. It's been stirring lately. Grumbling. Beginning to move. Under the incessant moralistic barrage of television newscasters, so full of ominous innuendoes and omniscient forecasts, more and more average people, it seems, have begun to wonder when they're going to put up or shut up. It's unfair, they say, to preach that way night after night as if it were news.

It's also unsportsmanlike, they say, kicking a man when he's down.

And stupid. Haven't they heard about the boy who cried wolf?

That's what the letters to Mr. duMas say. That and this: "Thank God for someone with your courage to lead us."

"You're terrific! Yes, I support Nixon, although, of course, he made terrible blunders."

"We are so happy to learn about you and your work."

"Learning through TV of your splendid work for Mr. Nixon, I am enclosing \$15 to help you personally."

For some time now Mr. duMas has been a spy or undercover agent for a couple of conservative organizations that have been taking aim at television news—especially that of CBS. He collects evidence of bias and sends it to John F. Fisher, president of the American Security Council and Institute for American Strategy of Boston, Va., part of a study covering CBS' news and documentaries for 1972.

A research team of 11 professors and research scholars from around the country is expected to spend more than 6,000 hours analyzing the programs, according to John Fisher. After six months' study, they see one of the patterns, he says: On questions of national defense, three-fourths of the material shows views favoring that the U.S. do less; 20 percent say that it's "about right" and only 4 percent favor doing more.

When the study is finished, John Fisher says he expects to file suit with the Federal Communications Commission under the "fairness doctrine," requiring more "balance" on CBS.

Mr. duMas was asked if he thought his own promotion to a No. 1 national figure was part of CBS' attempt to balance the news.

"I don't know," he said with a big smile. "It sort of makes you wonder, though, doesn't it?"

PART-TIME CAREER OPPORTUNITY ACT

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 1975

Mrs. BURKE of California. Mr. Speaker, today I am reintroducing legislation which will provide significant increase in the number of employment opportunities

by executive agencies of the U.S. Government for persons unable to work standard working hours—such as women with young children, students, the handicapped, and retired persons.

The Part-time Career Opportunity Act will upgrade the efficiency of current Federal employees who might wish part-time employment while pursuing other career objectives, attract talented women with family responsibilities who for some other reason cannot work a 40-hour week and others similarly situated.

Part-time workers make up an increasing proportion of the Nations work force. The Federal Government lags far behind private industry in reorganizing the valuable contribution which part-time employees can make in fulfilling manpower requirements.

The text of this legislation follows for your consideration:

H.R. 2305

A bill to provide increased employment opportunity by executive agencies of the United States Government for persons unable to work standard working hours, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Part-Time Career Opportunity Act".

Sec. 2. (a) Title 5, United States Code, is amended by inserting between chapters 31 and 33 the following new chapter:

"Chapter 32—PART-TIME CAREER EMPLOYMENT

"Sec.

"3201. Definitions.

"3202. Policy.

"3203. Part-time career employment percentage minimums; waiver.

"3204. Implementation.

"3205. Limitations.

"3206. Personnel ceilings.

"3207. Nonapplicability.

"§ 3201. Definitions

"For the purpose of this chapter—

"(1) 'agency' means an executive agency other than the Federal Bureau of Investigation and any agency referred to in section 5102(a) (1) (i)-(viii) of this title;

"(2) 'part-time career employment' means part-time employment of at least sixteen hours but not more than thirty hours a week, including, as for example, four hours each workday, five hours each workday, a different number of hours each workday, or two, three, or four days a week, job-sharing arrangements, or such other arrangements as the Civil Service Commission establishes as consistent with the policy prescribed by section 3202 of this title, but does not include an employee who is employed on a temporary or intermittent basis; and

"(3) 'grade' means any grade referred to in chapter 51 (other than grades GS-16, GS-17, and GS-18).

"§ 3202. Policy

"It is the policy of the Government of the United States that at least a certain percentage of all positions in each grade in each agency shall be available on a part-time career employment basis to individuals who are unable, or do not desire, to work on a full-time basis.

"§ 3203. Part-time career employment percentage minimums; waiver

"(a) Not later than one year after the date of enactment of this chapter, at least 2 per centum of all positions in each grade of each agency shall be available to individuals on a part-time career employment basis.

Not later than two years after the date of enactment of this chapter, 4 per centum of such positions shall be available on such a basis. Not later than three years after the enactment of this chapter, 6 per centum of such positions shall be available on such a basis. Not later than four years after the date of enactment of this chapter, 8 per centum of such positions shall be available on such a basis. Not later than five years after the date of enactment of this chapter, and thereafter, 10 per centum of such positions shall be available on such a basis.

"(b) Upon the request of an agency, the Civil Service Commission may waive or reduce the percentage minimum applicable to any year referred to in subsection (a) for positions in a grade of an agency for a period of not to exceed one year if—

"(1) the Commission finds that compliance with the percentage minimum for those positions in that grade for that period by such agency would be substantially disruptive of the ability of the agency to perform its mission. The Commission may find compliance substantially disruptive of the ability of the agency to perform its mission when compliance would cause the agency's efficiency to be severely impaired and/or when the agency is undergoing a substantial reduction in force, a freeze on new hiring or other major personnel action which so adversely affects the status of agency employees as to make it impossible to comply with the percentage minimums without seriously jeopardizing the employment or employment rights or benefits of agency employees; and

"(2) notice of the request for a waiver or reduction and the reasons and justification for that request have been published in the Federal Register and interested parties have been afforded not less than sixty days to submit comments to the Commission.

"(c) A decision of the Commission to waive or reduce any such percentage minimum shall include the reasons and justification therefor. Copies of each such decision shall be available to the public during normal business hours at each location at which the Commission has offices. Upon request, a copy of a decision shall be furnished without charge.

"(d) Notwithstanding any other provision of law, any such decision of the Commission is a final agency action within the meaning of chapter 7 of this title.

"§ 3204. Implementation

"(a) Each agency shall adopt and maintain procedures, continuously conduct activities and projects, and undertake such other efforts as may be appropriate, to carry out sections 3202 and 3203(a) of this title. The Civil Service Commission shall promptly formulate and implement, and thereafter supervise, a program to assist agencies in carrying out those sections. Not later than six months after the date of enactment of this chapter, the Commission shall report to Congress on actions taken to formulate and implement a program to assist agencies in carrying out those sections.

"(b) Not later than January 20, April 20, July 20, and October 20 of each year, each agency shall report to the Commission with respect to the three calendar months preceding the month in which that particular report is due, on the procedures, activities, projects, and other efforts undertaken to carry out sections 3202 and 3203(a) of this title. Each report shall contain documentation concerning the extent to which the percentage minimums of section 3203(a) of this title have been met and an explanation of any impediments to their fulfillment and of measures undertaken to remove these impediments.

"(c) The Commission shall report annually to the Congress on the procedures, activities,

projects, and other efforts undertaken to carry out sections 3202 and 3203(a) of this title. Each annual report shall contain documentation concerning the extent to which the percentage minimums of section 3203(a) of this title have been met and an explanation of any impediments to their fulfillment and of measures undertaken to remove these impediments.

"(d) The Commission shall conduct research and experimentation projects and any other activities designed to promote, in public employment, the advancement of opportunities for individuals who are unable, or who do not desire, to work on a full-time basis.

"§ 3205. Limitations

"(a) An agency shall not abolish a full-time position in a grade subject to this chapter, and occupied by employee, in order to establish two or more positions to be made available to individuals on a flexible hours employment basis.

"(b) Nothing in this chapter shall impair the employment or employment rights or benefits of any employee.

"(c) No agency shall enter into any contract or other agreement with any person as a result of the enactment of this chapter, except with respect to any agreement to furnish advice and assistance to that agency to meet the percentage minimums of section 3203(a) of this title.

"(d) No person employed as an expert or consultant under section 3109 of this title, and no person who is employed by any employer other than an agency, may be counted for the purpose of determining whether that agency has met the percentage minimums of section 3203(a) of this title.

"(e) Not to exceed 10 per centum of the full-time positions of an agency may be converted to positions to be made available to individuals on a part-time career employment basis.

"§ 3206. Personnel ceilings

"In counting the number of employees an agency employs for purposes of any personnel ceiling, an employee employed on a part-time career employment basis shall be counted as a fraction which is determined by dividing forty hours into the average number of hours that employee works each week.

"§ 3207. Nonapplicability

"If, on the date of enactment of this chapter, a collective-bargaining agreement is in effect with respect to positions occupied by employees which establishes the number of hours of employment in a week, then this chapter shall not apply to those positions."

(b) Subpart B of the table of chapters of part III of title 5, United States Code, is amended by inserting between items 31 and 33 the following:

"32. Part-Time Career Employment... 3201".

Sec. 3. (a) Section 3302 of title 5, United States Code, is amended—

(1) by inserting the subsection designation "(a)" at the beginning of the text thereof; and

(2) by adding at the end thereof the following:

"(b) The rules prescribed in accordance with subsection (a) shall also provide that any employee employed on a part-time career employment basis shall not compete, as the result of being so employed, with any employee in the competitive service employed on a full-time basis."

(b) (1) Section 8332 of such title is amended by adding at the end thereof the following:

"(1) Notwithstanding any other provision of law, an employee occupying a posi-

tion on a part-time career employment basis shall be allowed credit of one month for each one hundred and seventy-three hours of work performed for which deductions are made under this subchapter or deposits may be made."

(2) The amendment made by paragraph (1) of this section shall apply to an employee referred to in such amendment commencing on the first day of the first pay period of that employee which begins on or after the date of enactment of this Act.

(c) Section 8347(g) of title 5, United States Code, is amended by adding at the end thereof the following: "However, the Commission may not exclude any employee who occupies a position on a part-time career employment basis (as defined in section 3201(2) of this title)."

(d) Section 8716(b) of such title 5 is amended—

(1) by striking out of the second sentence "or part-time";

(2) by striking out "or" at the end of clause (1);

(3) by striking out the period at the end of clause (2) and inserting in lieu thereof a semicolon and "or"; and

(4) by adding at the end thereof the following:

"(3) an employee who is occupying a position on a part-time career employment basis (as defined in section 3201(2) of this title)."

(e) Section 8913(b) of such title 5 is amended—

(1) by striking out "or" at the end of clause (1);

(2) by striking out the period at the end

of clause (2) and inserting in lieu thereof a semicolon and "or"; and

(3) by adding at the end thereof the following:

"(3) an employee who is occupying a position on a part-time career employment basis (as defined in section 3201(2) of this title).

"§ 3208. Employee organization representation

"If an employee organization has been accorded exclusive recognition with respect to a unit within an agency, then the employee shall be entitled to represent all employees within that unit employed on a part-time career employment basis."

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the amendments made by this Act.

SENATE—Thursday, January 30, 1975

The Senate met at 11 a.m. and was called to order by Hon. WENDELL H. FORD, a Senator from the State of Kentucky.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou who has taught us that "they that wait upon the Lord shall renew their strength," renew us with Thy grace and wisdom. On this day when the leaders of the Nation pause to pray together, teach us to pray every day—to pray at work as at worship—to pray in this Chamber as we pray in Thy house—to pray alone and with others—to pray at all times and in all places—to live in the spirit of prayer and ever to be in accord with Thy will. O God, be with this Nation and its leaders.

We pray in Thy holy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 30, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WENDELL H. FORD, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. FORD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, January 29, 1975, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, of not to exceed 45 minutes, with statements therein limited to 5 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, after the distinguished Republican leader speaks, under the order, or yields back the time, and if no other Senator wishes to speak, it will be my intention to move to recess for 30 minutes.

Mr. HUGH SCOTT. Mr. President, I am not sure that anything I say will contribute to the preservation of the Union. Out of sympathy for our general condition and out of mercy for the people, I yield back my time.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Marks, one of his secretaries.

RESCISSIONS AND DEFERRALS OF APPROPRIATIONS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. FORD) laid before the Senate a message from the President of the United States proposing 35 new rescissions and 14 new deferrals which, with the accompanying papers, was ordered to be held at the desk. The message is as follows:

To the Congress of the United States:

I herewith report on additional rescissions and deferrals for fiscal year 1975,

as required by the Congressional Budget and Impoundment Control Act of 1974.

Thirty-five new rescissions and 14 new deferrals are proposed in the amounts of \$1,097 million and \$769 million, respectively. In addition, five revised rescission reports reduce by \$178 million the amounts proposed for rescission in earlier reports, and 12 revised deferral reports increase the amounts reported as deferred in earlier reports by \$111 million.

In the main, the rescissions and deferrals transmitted herein seek to reduce the increased Federal spending that would otherwise result from four recently-enacted 1975 appropriation bills—Labor-Health, Education, and Welfare; Agriculture-Environmental and Consumer Protection; the First Supplemental; and the Urgent Supplemental. The 93rd Congress, in the conference report on the Labor-HEW bill, indicated its willingness "... to give full consideration to such rescissions and deferrals ..." as might be required to keep 1975 spending within the total estimate for the bill.

If the Congress does not agree to the rescissions and deferrals accompanying this message, the 1975 deficit will grow by \$357 million and the 1976 deficit by \$675 million. I ask the 94th Congress to give full consideration to the question of whether increased Federal spending—with its associated inflationary effects and implied longer-term commitments—is warranted for these programs at this time.

GERALD R. FORD.

THE WHITE HOUSE, January 30, 1975.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIBICOFF from the Committee on Government Operations:

S. Res. 49. An original resolution authorizing additional expenditures by the Committee on Government Operations for inquiries and investigations. Referred to the Committee on Rules and Administration.

By Mr. MUSKIE, from the Committee on the Budget:

S. Res. 50. An original resolution authorizing additional expenditures by the Committee on the Budget for inquiries and in-